Final

CITY OF TURLOCK

Harding Drain Bypass Project EIR

SCH No. 2003062002

April 2005

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INTRODUCTION

OVERVIEW

The City of Turlock (City) has prepared an Environmental Impact Report (EIR) to provide the public and Responsible and Trustee Agencies with information about the potential environmental effects of its Harding Drain Bypass Pipeline and Outfall Project (Project or Proposed Project). This EIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended), and the CEQA Guidelines (California Code of Regulations, Title 14). As described in the CEQA Guidelines Section 15121(a), an EIR is a public information document that assesses potential environmental effects of a proposed project, as well as identifies mitigation measures and alternatives to the project that could reduce or avoid adverse environmental impacts. CEQA requires that state and local government agencies consider the environmental consequences of projects over which they have discretionary authority. The City's Bypass Pipeline and Outfall constitutes a "project" under CEQA. The EIR is an informational document used in the planning and decision-making process. It is not the purpose of an EIR to recommend either approval or denial of a project.

The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." (Pub. Resources Code, section 21002.) As a general rule "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." However, "in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." (Ibid.)

Stated differently, under CEQA, a lead agency must make certain determinations before it can approve or carry out a project if the EIR reveals that the project will result in one or more significant environmental impacts.

The lead agency must "certify" the Final EIR. According to the "CEQA Guidelines," "certification" consists of three separate steps. Prior to approving a project, the lead agency shall certify that: 1) the Final EIR has been completed in compliance with CEQA; 2) the Final EIR was presented to the decision-making body of the lead agency and that the body has reviewed and considered the information contained in the Final EIR prior to approving the project; and 3) that

the Final EIR reflects the lead agency's independent judgment and analysis [CEQA Guidelines, § 15090, subd. (a); see also Pub. Resources Code, § 21082.1, subd. (c)(3)].

Before approving a project for which a certified Final EIR has identified significant environmental effects, the lead agency must make one or more specific written findings for each of the identified significant impacts. These findings include and are limited to the following:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(2) Such changes or alternations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

[See CEQA Guidelines, Section 15091(a)].

If there remain significant environmental effects even with the adoption of all feasible mitigation measures or alternatives, the agency must adopt a "statement of overriding considerations" before it can proceed with the project. The statement of overriding consideration must be supported by substantial evidence in the record. (CEQA Guidelines, Sections 15092, 15093.)

These overriding considerations include the economic, legal, social, technological, or other benefits of the proposed project. The lead agency must balance these potential benefits against the project's unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the lead agency may consider the adverse environmental impacts to be "acceptable." [CEQA Guidelines, Section 15093 (a)]. These benefits should be set forth in the statement of overriding considerations, and may be based on the Final EIR and/or other information in the record of proceedings. [CEQA Guidelines, section 15093 (b)].

Notably, the California Supreme Court, reflecting on this multi-step process for considering project impacts and benefits, has stated that, "[t]he wisdom of approving … any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.)

CEQA FINAL EIR PROCESS

The Draft Environmental Impact Report (Draft EIR) on the Proposed Project was submitted to the State Clearinghouse (SCH # 2003062002) and released for public and agency review for a 45-day

public review and comment period on July 16, 2004. This public review and comment period closed on September 2, 2004. At the time of the release of the Draft EIR, a Notice of Availability was mailed to interested parties.

This document constitutes the Final EIR and includes comments and responses to comments on the Draft EIR for the Proposed Project, and along with the Draft EIR comprises the Final EIR for the Proposed Project. After review of the Project and the Draft EIR, the City Council (Council), at a public hearing, will recommend to the City whether to approve or deny the project. The Council will then review the Project, this Final EIR, staff recommendations, and public testimony and decide whether to certify the EIR and whether to approve or deny the project.

The CEQA *Guidelines* (Section 15132) specify that the Final EIR shall consist of:

(a) The Draft EIR or a revision of the draft.

(b) Comments and recommendations received on the Draft EIR either verbatim or in summary.

(c) A list of persons, organizations, and public agencies commenting on the Draft EIR.

(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.

(e) Any other information added by the Lead Agency.

If the Council approves the Proposed Project, even though significant impacts identified by the EIR cannot be mitigated, the City must state in writing the reasons for its actions. A Statement of Overriding Considerations must be included in the record of the project approval and mentioned in the Notice of Determination [CEQA Guidelines, Section 15093(c)].

CEQA Statutes Section 21081.6(a)(1), requires lead agencies to "adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." Throughout the EIR, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring and reporting program. Any mitigation measures adopted by the City as conditions for approval of the project will be included in a monitoring and reporting program to verify compliance. The Mitigation Monitoring and Reporting Program (MMRP) for the Proposed Project is included in this Final EIR (see Chapter 6).

ORGANIZATION OF THE DOCUMENT

The Final EIR is organized into seven chapters. Chapter 2, Summary of Draft EIR, provides a brief project description and presents a summary table of project environmental effects. Chapter 3, Comments on the Draft EIR, provides a list of commentors and copies of written and verbal comments (coded for reference). Chapter 4, Responses to Comments on the Draft EIR, provides the lead agency responses to the comments in Chapter 3 and summarizes corrections made to the Draft EIR. Chapter 5, Minor Changes and Edits to the Draft EIR, includes

corrections and additions to the Draft EIR text as a result of comments made on the Draft EIR, any changes to the Draft EIR are indicated by revision marks (underline for new text, and strikeout for deleted text); Chapter 6, Mitigation Monitoring and Reporting Program; and Chapter 7, Report Preparation, provides a list of individuals involved in the preparation of the Final EIR.

Neither the comments received on the Draft EIR nor any information provided by the City in response to such comments indicates the existence of new significant impacts or significant new information that would require recirculation of the Draft EIR pursuant to CEQA *Guidelines* Section 15088.5.

CHAPTER 2

SUMMARY OF DRAFT EIR

CHAPTER 2
SUMMARY OF DRAFT EIR

INTRODUCTION

The City of Turlock (City) is proposing the construction of a new outfall pipeline (proposed pipeline) from the City's existing outfall at the intersection of Harding Road and Prairie Flower Road to the eastern bank of the San Joaquin River (Proposed Project). The City, acting as the Lead Agency, has prepared a Draft Environmental Impact Report (EIR) to provide the public and Responsible and Trustee Agencies reviewing the Proposed Project with information about the potential environmental effects, both beneficial and adverse, on the local and regional environment. The Draft EIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended, Public Resources Code (PRC) §§21000 *et seq*.), and the CEQA Guidelines (California Code of Regulations (CCR), Title 14, §§15000 *et seq*.).

PROJECT GOALS AND OBJECTIVES

The primary goal and objective of the Proposed Project is to eliminate the discharge of the City's treated wastewater to the Harding Drain, a constructed agricultural irrigation drain owned, operated and maintained by the Turlock Irrigation District (TID). The Proposed Project would result in a change from the current point of discharge at the Harding Drain to a point of discharge directly to the San Joaquin River, upstream of the current confluence between the Harding Drain and the San Joaquin River. The Proposed Project does not involve any increase to the City's existing permitted treatment capacity.

Changing the point of discharge from Harding Drain to a direct discharge to the San Joaquin River will serve at least two beneficial purposes. First, removal of the City's permitted wastewater discharges from Harding Drain will remove it from an agricultural drain whose primary function is management of drainage from irrigated lands, including control of flooding by elevated groundwater and winter stormwater. This will relieve the City of any need to coordinate with TID regarding management of flows in the Drain, and allow TID to efficiently operate and maintain its system. Second, changing the point of discharge from a low-flow, constructed agricultural irrigation drain system may reduce or eliminate regulatory constraints with respect to future waste discharge requirements to the City issued by the Central Valley Regional Water Quality Control Board (Regional Board), while allowing TID and agricultural operations that runoff or discharge to Harding Drain to separately monitor and manage water quality associated with agricultural activities, which are subject to separate regulatory requirements.

PROPOSED PROJECT

The proposed pipeline will consist of a force main that extends from the terminus of the current outfall to the San Joaquin River covering a distance of approximately 5.7 miles. The diameter of the pipeline will be 36 inches to meet the design criteria for a projected future peak flow of 35 mgd. Trench depths will average between six and eight feet below the ground surface with the apex of the pipe averaging approximately three feet below grade. Other facilities associated with the force main, will include a pump station, post-aeration structure, submerged outfall and gravity line connecting the post-aeration structure to the outfall. These project components are described in detail; in Chapter 2 of the Draft EIR.

PUBLIC INVOLVEMENT

A Notice of Preparation (NOP) for the Proposed Project was circulated for public review on May 30, 2003, pursuant to Sections 15082(a), 15103, and 15375 of the CEQA Guidelines. The NOP identified categories of environmental impacts to be evaluated in the EIR (**Appendix A** of the Draft EIR). In addition, two public scoping sessions were held in the City Hall, Turlock, California, on June 25, 2003 at 3:30 p.m. and 7:00 p.m. Comments received on the NOP and during the public scoping session were considered in the preparation of this EIR and are included in **Appendix B** of the Draft EIR. A refined list of issues identified during the NOP process is presented below:

- Water Resources
- Biological Resources
- Land Use and Agriculture
- Public Services and Utilities
- Cultural Resources
- Air Quality
- Noise
- Transportation and Traffic Circulation
- Geology, Soils, and Seismicity
- Hazards and Hazardous Materials
- Aesthetic and Recreational Resources
- Growth Inducement
- Cumulative Impacts

ALTERNATIVES TO THE PROPOSED PROJECT

CEQA Guidelines (Sections 15123(b) (3) and 15126(f)) require an EIR to consider a range of alternatives that could feasibly attain most of the basic objectives of the Proposed Project. The City has been working with its engineer for several years to identify feasible and cost-effective options for removing is wastewater effluent from the Harding Drain. Following several feasibility studies, diversion via pipeline to the San Joaquin River proved to be the only feasible option at this time. Several alignments were evaluated and rejected, based on mainly engineering constraints or significant land use conflicts. Reasons for the elimination of these alternatives are provided in Chapter 4 of the Draft EIR. In light of those findings and to satisfy the requirements

of CEQA, two alternative alignments were analyzed in addition to the No Project Alternative. These alternative alignments essentially consist of rerouting the pipeline along alternative roadways or property lines within the project area and are illustrated in **Figure 4-1** of the Draft EIR. Chapter 4 of the Draft EIR provides a more detailed description of each alternative and its associated impacts as compared to the Proposed Project.

SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table 2-1 presents a summary of project-related impacts and proposed mitigation measures that, if implemented, would avoid or further minimize potential impacts. In the table, the level of significance of each environmental impact is indicated both before and after the application of the recommended mitigation measure(s).

For detailed discussions of all project impacts and mitigation measures, the reader is referred to the environmental analysis contained in **Chapter 3, Environmental Analysis** of the Draft EIR.

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.1 WATER RESOURCES				
3.1.1	Water Quality – Construction of the Proposed Project could result in increased erosion and sedimentation, with subsequent impacts to water quality and/or storm drain capacity during construction. Additionally, release of fuels or other hazardous materials associated with construction equipment could impact local surface and groundwater quality. (Potentially Significant)	3.1.1a	To minimize the exposure of sediments to runoff, the City would implement measures contained in the Construction Contractor's Guide and Specification of the Caltrans Storm Water Quality Handbook (The Handbook; April 1997) and the SWRCB Water Quality Order 99-08-DWQ, NPDES, General Permit for Stormwater Discharge Associated with Construction Activity.	LS
		3.1.1b	All construction plans and activities shall implement multiple BMPs to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but are not limited to, the following measures: • Temporary erosion control measures (such as silt fences, staked straw bales/ wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be employed for disturbed areas. • Dirt and debris shall be swept from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events.	

Less-than-Significant = LS Beneficial = B Significant = S Cumulative Significant = CS Significant and Unavoidable = SU Potentially Significant = PS

TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	• Grass or other vegetative cover will be established on the construction site as soon as possible after disturbance. At minimum, vegetative application shall be done by September 15th to allow for plant establishment. No disturbed surfaces will be left without erosion control measures in place during the period of October 15th to April 15th. • Silt fences and catch basins will be placed below all construction activities at the edge of the river to intercept sediment before it reaches the river. These structures will be installed prior to any clearing or grading activities. • Spoil sites will be located such that they do not drain directly into the San Joaquin River or TID Laterals, if possible. If a spoil site drains into the river or local drains, catch basins will be constructed to intercept sediment before it reaches the river. Spoil sites will be graded to reduce the potential for erosion. While data is scarce regarding the effectiveness of BMPs as erosion and sediment controls, the expected pollutant removal efficiencies given in Table 3.1-2 suggest that multiple BMPs used in combination, properly installed and maintained, can achieve significant sediment removal. Therefore the final selection and design of erosion and sediment controls should include the use of multiple BMPs to protect water quality.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	BMPs proposed by the City's contractor shall be subject to approval by the City, and the City shall require that all parties performing construction under the Proposed Project incorporate into contract specifications the requirement that the contractor(s) comply with and implement these provisions. The contractor shall also include provisions for monitoring during and after construction activities to verify that these standards are met.	
	3.1.1c Implement Mitigation Measure 3.10.2.	
3.1.2 Hydrology – Removal of treated-wastewater from the Harding Drain will not reduce existing flows in the San Joaquin River, but would lead to reduced flows in the Harding Drain. (Less-than-Significant)	No mitigation is required.	
3.1.3 Water Quality – The elimination of the WQCF discharges to the Harding Drain would not result in adverse effects to water quality and beneficial uses (Less-than-Significant)	No mitigation is required.	
3.1.4 Water Quality – Project-related facilities are expected to result in a minimal increase in drainage flows as a result of runoff from increased amounts of impervious surfaces. The additional impervious surfaces would not represent significant sources of non-point source pollution, nor are they expected to contribute substantial additional sources of polluted runoff. (Less-than-Significant)	No mitigation is required.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.1.5	Water Quality – The discharge of tertiary treated wastewater to the San Joaquin River under the Proposed Project would not result in adverse changes to the volume and quality of discharge to the San Joaquin River. (Less-than-Significant)	No mitigation is required.	
3.1.6	Water Quality – The pipeline and flows associated with the Proposed Project would introduce the potential for leaks and sewer overflows, with impacts to surface and/or groundwater. (Less-than-Significant)	No mitigation is required.	
3.1.7	Groundwater Quantity – Implementation of the Proposed Project would not deplete local groundwater supplies or interfere substantially with groundwater recharge. (Less-than-Significant)	No mitigation is required.	
3.1.8	Drainage – The Proposed Project would not result in any significant adverse effects to the existing drainage pattern of the project area. (Less-than-Significant)	No mitigation is required.	
3.1.9	Flooding – The Proposed Project would involve the placement of an outfall structure within a 100-year flood hazard area for the San Joaquin River. However, this structure would not increase risks associated with flooding in the project area, including flooding as a result of the failure of a levee or dam. (Less-than-Significant)	No mitigation is required.	
3.1.10	Seiche, Tsunami, or Mudflow – The proposed Project would not result in the increased exposure of people or structures risks associated with inundation by seiche, tsunami, or mudflow. (Less-than-Significant)	No mitigation is required.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.2 BIOLOGICAL RESOURCES				
3.2.1	The Proposed Project may have significant adverse impacts, either directly or through habitat modifications, to terrestrial and aquatic endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12). (Potentially Significant)	3.2.1a	As noted above, the project area appears to provide only marginal habitat for GGS. Nonetheless, a survey for GGS will be conducted by a qualified biologist within 24 hours prior to the start of construction, and if GGS are present and there is a reasonable likelihood that construction will adversely impact GGS, the City and its construction contractor will adhere to the appropriate terms and conditions of the Programmatic Biological Opinion issued to the ACOE by the USFWS for giant garter snake (dated Nov. 13, 1997).	LS
		3.2.1b	Prior to construction, all construction workers shall take part in a Service-approved worker environmental awareness program given by a Service-approved biologist.	
		3.2.1c	The construction easement for the proposed crossings shall be fenced using temporary fencing to reduce the possibility of incidentally impacting giant garter snake habitat outside of the construction area.	
		3.2.1d	If construction activities occur between April 1st and August 31st, a survey for active Swainson's hawk nests shall be conducted along the proposed alignment according to the CDFG's Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California by a qualified wildlife biologist. The survey shall be limited to trees within 500 feet of the proposed alignment.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
		3.2.1e	If active nests are detected and potential impacts are identified, measures that will avoid or mitigate impacts will be implemented. Avoidance measures may include, but are not limited to, establishing buffer zones around nests and retaining a qualified wildlife biologist to monitor active nests during construction.	
3.2.2	Construction of the outfall along the eastern bank of the San Joaquin River could result in potentially significant adverse impacts to native fisheries. (Potentially Significant).	3.2.2a	Construction activities along the banks of and within the San Joaquin River will, to the extent feasible, shall be limited to the period between June 1st and August 31st, the period during which impacts to native fisheries are not likely to occur.	LS
		3.2.2b	Implement Mitigation Measure 3.1.1.	
3.2.3	Based on the habitats present in the Project area, several special-status species may be impacted by the Proposed Project. (Potentially Significant).	3.2.3a	Prior to construction, the proposed alignment (San Joaquin River levee, Harding Drain banks, and grassland habitat areas) shall be surveyed by a qualified biologist for burrowing owls using established CDFG protocols (Appendix F).	LS
		3.2.3b	If burrowing owls are detected within the construction zone, mitigation that will avoid active nest sites or compensate for the loss of nest sites shall be developed in coordination with CDFG.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
		3.2.3c	A qualified biologist shall survey the proposed pipeline trenching and aeration facility construction site within the annual/alkali grassland habitat for the presence of San Joaquin whipsnakes. The survey shall take place no more than 24 hours prior to construction. If a snake is detected by the survey, no construction shall take place until the snake has left the construction area and CDFG shall be notified for proper guidance. The performance standard for this action is that no snake shall be harassed or taken.	
		3.2.3d	Implement all mitigation measures listed for giant garter snakes. Biological monitors present during canal/ditch crossing construction shall also monitor for northwestern and southwestern pond turtles on the site, and pre-construction surveys shall also target northwestern and southwestern pond turtles.	
3.2.4	Based on the habitats present in the project area, several special-status plant species may be impacted by the Proposed Project. (Potentially Significant).	3.2.4a	Prior to construction of the Proposed Project, the proposed alignment and aeration facility location west of Carpenter Road, shall be surveyed by a qualified botanist for special-status plants at the appropriate flowering period (May–July) using established CNPS protocols.	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		3.2.4b	If special-status plants are detected within the construction zone or the immediate vicinity, mitigation that will avoid impacts within 50' of these plants or compensate for unavoidable impacts to habitat shall be developed in coordination with CDFG. Mitigation may include protection of existing rare plant occurrences and habitats by rerouting the alignment or protecting other alkaline wetland habitats in the area where they may occur at a 2:1 ratio using existing Mitigation Banks.	
3.2.5	The Proposed Project may result in the temporary fill of "other" waters of the U.S. Potential wetland areas located along the proposed alignment and aeration facility include areas on the inboard-side of the eastern levee of the San Joaquin River. (Potentially Significant).	3.2.5a	Fill of wetland areas will be minimized wherever possible. Temporary construction fencing will be erected around the Project site to reduce the potential of incidental fill.	LS
		3.2.5b	Following pipeline construction, wetland/stream crossings shall be restored to pre-construction contours. Areas exposed due to construction shall be re-vegetated using a mix of native vegetation.	
3.2.6	Removal of nesting raptors or their nests, or causing the abandonment of nests for these species due to construction activities would be considered a potentially significant impact. (Potentially Significant).	3.2.6a	If construction activities occur between March 15th and September 15th (the raptor breeding season), a survey for active nests of raptors shall be conducted by a qualified wildlife biologist at the project site and within a 500 foot buffer surrounding the site. These surveys should be integrated with pre-construction surveys conducted for Swainson's Hawk.	
		3.2.6b	Implement Mitigation Measure 3.2.1e.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.3 LAND USE AND AGRICULTURE				
3.3.1	The Proposed Project would generally be consistent with applicable land use goals, policies, and objectives of the City's General Plan. Additionally, the Proposed Project would generally conform to land use polices and zoning designations established for the project area by Stanislaus County. (Less-than-Significant).		No mitigation is required.	
3.3.2	Implementation of the Proposed Project would result in short-term construction impacts in the form of dust, noise, and traffic and access disruption to local residents located in close proximity to the proposed alignment. (Potentially Significant).	3.3.2a	The City of Turlock shall require its construction contractor to provide a minimum 2-week advance notice of the construction activities schedule to the affected community members adjacent to construction areas (e.g., residences, property owners, business owners, and public facility operators), including the posting of signs.	LS
		3.3.2b	The City of Turlock, in cooperation with its contractor(s), shall provide a phone number and community contact for inquiries about the project's schedule throughout the construction period. This information will be posted in a local newspaper and at City Hall and will be updated on a weekly basis.	
		3.3.2c	The City and its contractor(s) shall coordinate with local jurisdictions and obtain all necessary permits (e.g., encroachment permit, utility excavation permit), comply with permit conditions established to minimize construction impacts, and coordinate inspections with Stanislaus County to oversee construction activities.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		3.3.2d	Implement San Joaquin Valley Air Pollution Control District required fugitive dust control measures, Mitigation Measure 3.7.1a through d, and Mitigation Measure 3.8.1a through e.	
3.3.3	Implementation of the Proposed Project could result in the displacement of existing improvements during construction-related activities. (Potentially Significant).	3.3.3	The City's contractor shall, as part of the right-of-way surveys and final design work, identify all mailboxes, walls, fences, driveways, potable water wells and landscaping located in the alignment and prepare a relocation and replacement plan for each to address impacts resulting from displacement of existing improvements in the pipeline alignment.	LS
3.3.4	Construction of the Proposed Project could impact farmland and/or adjacent agricultural operations. Additionally routine maintenance over the long-term could further impact these operations. (Potentially Significant).	3.3.4	Restore affected lands to pre-project conditions.	LS
3.3.5	The Proposed Project would result in minimal conversion of Important Farmlands, as identified by the Department of Conservation, to non-agricultural use. (Potentially Significant).	3.3.5	Implement Mitigation Measure 3.3.4.	LS
3.3.6	Implementation of the Proposed Project would conflict with an existing Williamson Act contract. (Less-than-Significant).	3.3.6	No mitigation is required.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.4 PUBLIC SERVICES AND UTILITIES				
3.4.1	Construction of the Proposed Project could result in substantial adverse impacts to the provision of governmental services, thereby adversely affecting current service ratios, response times, or other performance objectives for local public service providers. (Potentially Significant).	3.4.1a	The City's construction contractor(s) shall provide a copy of the Traffic Control Plan to the Sheriff's Department, County Fire Department, and any private ambulance service providers for informational and coordination purposes prior to construction.	LS
		3.4.1b	The City's construction contractor(s) shall provide 72-hour notice to the local service providers prior to construction of individual pipeline segments. Discussion on the Traffic Control Plan is provided in Section 3.8, Transportation, and Traffic Circulation, under Measure 3.8.1a.	
3.4.2	Construction of the Proposed Project is not expected to require or result in the construction of new storm drain water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (Less-than-Significant).		No mitigation required.	
3.4.3	The Proposed Project would not increase water demand or change water supply availability. (Less-than-significant).		No mitigation required.	

Less-than-Significant = LS Beneficial = B Significant = S Cumulative Significant = CS Significant and Unavoidable = SU Potentially Significant = PS

TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.4.4	Materials that would need disposal as part of construction of the Proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. After construction, the project is not anticipated to generate significant amounts of solid waste beyond the current baseline condition. (Less-than-Significant).		No mitigation required.	
3.4.5	Construction of the Proposed Project would comply with federal, state, and local statutes and regulations related to solid waste. (Less-than-Significant).		No mitigation required.	
3.4.6	Construction of the Proposed Project could encounter or affect under- and above-ground utilities and result in temporary interruptions in utility service. (Potentially Significant).	3.4.6	Underground utilities and service connections shall be identified by the City's construction contractor(s) prior to commencing any excavation work through the implementation of an underground services alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as "pot-holing"). Temporary disruption of service may be necessary to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.5 CULTURAL RESOURCES				
3.5.1	Implementation of the proposed pipeline may affect unknown, potentially significant prehistoric and historic resources. (Potentially Significant).	3.5.1	If any historic or prehistoric find is determined to be significant by a qualified archaeologist, representatives of the City and the archaeologist and/or paleontologist would meet to determine an appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards in accordance with CEQA Guidelines Section 15064.5 (f).	LS
3.5.2	The implementation of the proposed project may adversely affect previously undocumented paleontological resources. (Potentially Significant).	3.5.2	Implement Mitigation Measure 3.5.1.	LS
3.5.3	The implementation of the proposed project may adversely impact human burials or osteological remains. (Potentially Significant).	3.5.3	In the event of the discovery of human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows: (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: (A) The Coroner of the county in which the remains are discovered must be contacted to verify that the remains are human, that no investigation of the cause of death is required, and	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	(B) If the coroner determines the remains to be Native American: 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.6 AIR QUALITY		
3.6.1 Fugitive dust generated during future project construction activities could be substantial and would contribute to intermittent ambient respirable particulate matter concentrations that could contribute to the continued violation of State PM10 standards. The SJVAPCD requires that all construction activities implement fugitive dust control measure in accordance with Regulation VIII. With the implementation of these measures for project-specific activities, a less than significant impact is expected. (Less-than-Significant).	No mitigation is required beyond the implementation of measure identified in Regulation VIII, Rule 8010.	
3.6.2 The long-term operation of the Proposed Project would not result in a substantial increase in criteria air pollutants and/or TACs. (Less-than-Significant).	No mitigation is required.	
3.6.3 The Proposed Project would not create objectionable odors affecting a substantial number of people. (Less-than-Significant)	No mitigation is required.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.7 NOISE		
3.7.1 Construction associated with the implementation of the Proposed Project would temporarily and intermittently increase noise levels along the proposed pipeline alignment. The temporary increase in noise could adversely affect nearby sensitive receptor locations along the proposed alignment. Construction noise resulting from the use of heavy equipment along the proposed route is considered a potentially significant impact of the Proposed Project. (Potentially Significant).	3.7.1a Construction activities within rural residential areas shall be limited to the hours and days specified by the County as follows: 1. Construction activity is limited to hours and days when noise standard exemptions apply, per encroachment permit. 2. If construction outside those exempt time periods is proposed, the City shall obtain a variance from the County. 3. Where no construction exemption is granted, construction shall be scheduled between 7:00 a.m. to 7:00 p.m., Monday to Friday, or other hours and days as established by the County in applicable encroachment permits. 3.7.1b The City shall require in construction specifications that the contractor select staging areas as far as feasibly possible from existing residences. Activities within these staging areas shall conform to the time limitations established in Mitigation Measure 3.7.1a.	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	3.7.1c Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturers' specifications) and by shrouding or shielding impact tools. All equipment shall have sound-control devices no less effective than those provided by the manufacturer.	
	3.7.1d The City shall require in construction specifications that the contractor place all stationary noise generating construction equipment as far away as feasibly possible from sensitive receptors or in an orientation minimizing noise impacts (i.e., behind existing barriers or storage piles, etc.).	
3.7.2 The Proposed Project could result in a substantial permanent increase in ambient noise levels in the project vicinity. (Less-than-Significant).	No mitigation is necessary.	
3.8 TRANSPORTATION AND TRAFFIC CIRCULATION		
3.8.1 Construction of the proposed pipeline would reduce the available width of or in some instances the entire roadway, thereby resulting in short-term yet significant traffic delays for vehicles traveling past the construction zone on the affected roadways. (Potentially Significant).	Prior to the onset of construction of the project, a Traffic Control Plan will be prepared for all project-affected roadways and intersections. The Traffic Control Plan shall comply with requirements in all relevant encroachment permits issued by Stanislaus County. The Traffic Control Plan to be prepared by the construction contractor(s) may include the following measures:	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	• Maintain the maximum amount of travel lane capacity during non-construction periods, with all trenches covered with steel plates or backfilled and roadways open for use. • Use detour signing on alternate access streets when temporary full street closure is required. Alternatively, limit the construction work zone in each block to a width that, at a minimum, maintains alternate one-way traffic flow past the construction zone where feasible. • Restrict construction to non-peak traffic periods as required for specific work sites in encroachment permits. Weekend and night work shifts may be considered in non residential areas only. • Coordinate construction activities (time of year and duration) to minimize traffic disturbances adjacent to agricultural areas and dairies. • Post advanced warning of construction activities (e.g., signs, articles in newspapers, notices on radio/TV, etc.) to allow motorists to select alternative routes in advance. • Specifications that allow for direct passage for bicyclists and pedestrians in all areas potentially affected by project construction. If direct passage is not feasible, the detour routes shall be provided.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
			• Warning signs and speed control (including signs informing drivers of State-legislated double fines for speed infractions in a construction zone) shall be provided, where necessary, to achieve required speed reductions for safe traffic flow through the work zone.	
		3.8.1b	Prior to onset of construction, and in consultation with Stanislaus County, the City's construction contractor(s) shall identify areas where night construction may be appropriate. Night construction shall be performed in all areas identified, but not within 1,000 feet on an existing residence.	
		3.8.1c	Expedite construction by using multiple work crews so that disturbances are kept as short in duration as possible.	
		3.8.1d	Arrange for a 24-hour telephone hotline to address public questions and complaints during project construction, and to offer information about detours, etc.	
3.8.2	Construction of the Proposed Project would generate short-term increases in vehicle trips by construction workers and construction vehicles. (Potentially Significant).	3.8.2a	As part of the Traffic Control Plan for roadway segments and intersections (see Measure 3.9.1a), designated haul routes will be specified for the project after consultation with relevant agencies (e.g., Caltrans and County Public Works).	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		3.8.2b	To the extent possible, daily work sites will be scheduled such that their relative locations shall disperse truck trips over a number of different haul routes, thereby lessening the number of truck trips on any one road. In addition, construction worker and truck trips during peak traffic periods shall be avoided, to the extent possible.	
3.8.3	Construction of the Proposed Project would affect access to adjacent land uses and streets for both general and emergency traffic and for bicycle/pedestrian access. (Potentially Significant).	3.8.1a	As part of the Traffic Control Plan for roadway segments and intersections (Measure 3.9.1a), comprehensive strategies for maintaining emergency access shall be developed for sensitive land uses such as residential and agricultural areas in consultation with the facility owner or administrator. Strategies shall include, but not be limited to, maintaining steel trench plates at the construction sites to restore access across open trenches, and identification of alternate routing around construction zones. Also, police, fire, and other emergency service providers shall be notified of the timing, location, and duration of construction activities and the location of detours and lane closures.	LS
		3.8.3b	Implement Mitigation Measure 3.8.1b.	
		3.8.3c	Use detour signing on alternate access streets established when temporary full street closure is required.	
		3.8.3d	The City shall provide a minimum 72 hour advance notice of access restrictions for residents and businesses.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.8.4	Construction of the Proposed Project would not result in any significant disruptions to transit service. (Less-than-Significant).		No further mitigation required.	
3.8.5	Construction of the Proposed Project would generate a demand for parking spaces for construction worker vehicles. In addition, pipeline construction could temporarily displace on-street parking along the proposed alignment. (Potentially Significant).	3.8.5	Construction contracts shall require the contractor(s) to provide off-street parking for construction worker's vehicles in the vicinity of the work zone, or, workers may be shuttled to the work site from an off-site location.	LS
3.8.6	Construction of the Proposed Project would increase potential traffic safety hazards for vehicles, bicyclists, and pedestrians on public roadways. (Potentially Significant).	3.8.6a	Implement Mitigation Measure 3.8.1a.	LS
		3.8.6b	The City in coordination with Stanislaus County Department of Public Works will ensure the integration of clear zone concepts into the final design of proposed above-ground structures. Final design will also account for the ultimate rights-of-way for affected roadways.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.8.7	Construction of the Proposed Project would increase wear and tear on the designated haul routes used by construction vehicles to access the project work site(s). (Potentially Significant).	3.8.7a	Prior to construction, the City, a County representative, and the City's construction contractor(s) will be responsible for assessing current road conditions for all project routes once final design plans are complete in efforts to develop post-construction road restoration requirements. An agreement shall be entered into by the City and County prior to construction that details post-construction road restoration requirements. Staff of the Stanislaus County Public Works Department shall review the post-construction restoration plans for each of the affected haul routes to ensure compliance with County standards. The City shall perform roadway repairs or rehabilitation as necessary such that post-construction requirements are met.	LS
		3.8.7b	The City shall obtain encroachment permits from Stanislaus County prior to construction of the project, and comply with haul route designations, and roadway wear monitoring and repairs conditions.	
3.9 GEOLOGY, SOILS, AND SEISMICITY				
3.9.1	In the event of a major earthquake in the region, seismic groundshaking could cause collapse or structural damage to the proposed pipeline and associated facilities. Structural damage to project components resulting from substantial displacement along various fault sources could indirectly result in significant injury to people and disruption of major services (e.g., sanitary sewer). (Less-than-Significant).		No mitigation is required.	

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.9.2	The presence of expansive and corrosive soils could result in structural damage to the proposed pipeline and associated facilities. (Less-than-Significant).		No mitigation is required.	
3.9.3	The project area could be subjected to geologic hazards, including liquefaction, differential settlement, total settlement, and minor slumping along the Harding Drain. (Less-than-Significant).		No mitigation is required.	
3.9.4	Implementation of the Proposed Project could result in increased surface soil erosion thereby lending to increased siltation of local waterways. (Potentially Significant).		Implement Mitigation Measures 3.1.1a, 3.1.1b, and 3.1.1c.	LS
3.10	**HAZARDS AND HAZARDOUS MATERIALS**			
3.10.1	Construction of the Proposed Project may expose construction workers, the general public, and the environment to pre-existing hazardous materials contamination. (Potentially Significant).	3.10.1a	If contaminated soil and/or groundwater or suspected contamination were encountered during project construction, work shall be halted in the area, and the type and extent of the contamination shall be identified. The depth of trenches would be approximately eight to nine feet. A contingency plan to dispose of any contaminated soil or groundwater should be developed through consultation with the appropriate regulatory agencies. If dewatering were to occur during project construction, the RWQCB should be consulted for any special requirements such as containing the water until it can be sampled and analyzed to ensure that no contaminants are in the groundwater that could be released into the TID drainage system.	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

ENVIRONMENTAL IMPACT		MITIGATION MEASURES		LEVEL OF SIGNIFICANCE AFTER MITIGATION
		3.10.1b	Implement Mitigation Measure 3.1.1b.	
3.10.2	During construction, there lies a risk of exposure to hazardous materials such as fuel and other chemicals used for pipeline excavation and construction activities. (Potentially Significant).	3.10.2	The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the Department of Transportation, California RWQCB, the local fire departments, and the local environmental health department. Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable federal, state, and/or local regulatory agency protocols. In addition, all precautions required by the RWQCB issued NPDES construction activity stormwater permits would be taken to ensure that no hazardous materials enter any nearby waterways. In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.	LS

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TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	ENVIRONMENTAL IMPACT		MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
3.10.3	The Proposed Project could interfere with an emergency response or evacuation plan. (Potentially Significant)	3.10.3	Implement Mitigation Measure 3.8.3a.	LS
3.11	**AESTHETICS AND RECREATION**			
3.11.1	The Proposed Project would modify the existing visual character of the project area. (Less-than-Significant).		No mitigation is required.	
3.11.2	The Proposed Project would involve the construction of structures that would result in the creation of new sources of daytime glare and/or nighttime illumination. (Potentially Significant).	3.11.2	The City will install security lighting with directional shields to concentrate lighting toward the site. The night time security and associated parking lighting fixtures will be equipped with directional shields that aim light downward and away from adjacent residential properties. In addition, the placement of lighting fixtures would be selected to concentrate light on-site to avoid spillover onto adjacent residential properties.	LS
3.11.3	Impacts to scenic corridors and officially designated routes. (No Impact).		No mitigation is required.	
3.11.4	The Proposed Project would not result in an indirect increase in visitor use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. (No Impact).		No mitigation is required.	
3.11.5	The Proposed Project would not substantially disrupt or conflict with the use of existing recreational facilities to the extent that it would affect the recreational value of such facilities. (This impact is considered less-than-significant.		No mitigation is required.	

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CHAPTER 3

COMMENTS ON THE DRAFT EIR

CHAPTER 3
COMMENTS ON THE DRAFT EIR

LIST OF COMMENTORS

In accordance with procedures outlined in the CEQA Guidelines, the Draft EIR was circulated for public and agency review for 45-days to allow for written comments. The review period began on July 16, 2004 and ended on September 2, 2004. A list of the comment letters received on the Draft EIR are provided in **Table 3-1**.

TABLE 3-1
COMMENTS RECEIVED ON THE DRAFT EIR

Letter	Individual or Signatory	Affiliation	Date
A	Margo Souza	Harry W. Souza & Daughters. Inc.	July 23,, 2004
B	Irene Lopez	Local Resident	August 1, 2004
C	Terry Roberts	State Clearinghouse	August 31, 2004
D	Kathryn Gaffney and Julie Means	State Water Resources Control Board and California Department of Fish and game	November 1, 2004
E	David L. Myers	Stanislaus County Dept. of Public Works	November 16, 2004
F	Arie W. Vander Pol	Turlock Irrigation District	November 19, 2004
G	John Cadrett	San Joaquin Valley Air Pollution Control District	November 22, 2004
H	W. Richard Jantz	Stanislaus County Environmental Review Committee	November 23, 2004
I	Kathryn Gaffney and Julie Means	State Water Resources Control Board and California Department of Water Resources	March 28, 2005

COMMENTS AND RESPONSES TO COMMENTS

Written comments received on the Draft EIR are reproduced on the following pages. The responses to written comments are presented in **Chapter 4, Responses to Comments on the Draft Environmental Impact Report**. To assist in referencing comments and responses, each commentor has been assigned a letter and each comment a corresponding number. Responses are coded to correspond to the codes used in the margin of the comment letter.

Where changes to the Draft EIR text result from responding to comments, those changes are presented in Chapter 5 with revision marks (underline for new text, strike-out for deleted text). Comments which present opinions about the project unrelated to environmental issues or which

raise issues not directly related either to the substance of the EIR or to environmental issues are noted without response.

INSERT COMMENT LETTERS

CHAPTER 4

RESPONSES TO THE COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

CHAPTER 4

RESPONSES TO COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

INTRODUCTION

Neither the comments on the Draft EIR nor the City's responses thereto raise any "significant new information" within the meaning of Public Resources Code section 21092.1 and CEQA Guidelines section 15088.5. Therefore, the City, as the CEQA Lead Agency, directed that a Final EIR be prepared rather than recirculating the Draft EIR.

RESPONSES TO COMMENTS

The following responses correspond to the numbers for each comment presented in **Chapter 3, Comments on the Draft Environmental Impact Report**.

LETTER A. MARGO SOUZA – HARRY W. SOUZA & DAUGHTERS, INC.

RESPONSE A-1

Comment noted. The City acknowledges that the commetor is in favor of the Proposed Project and does not raise any issues with regard to the analysis provided in the Draft EIR.

LETTER B. IRENE LOPEZ - RESIDENT

RESPONSE B-1

Comment noted. The City acknowledges the commentor's adversity to the pipeline alignment proposed under Alternative 2. No issues were raised within regard to the analysis provided in the Draft EIR.

LETTER C. TERRY ROBERTS – STATE CLEARINGHOUSE

RESPONSE C-1

The City notes the State Clearinghouse's receipt of the Draft EIR and the closure of the Draft EIR circulation period on August 30, 2004.

LETTER D. KATHRYN GAFFNEY – STATE WATER RESOURCES CONTROL BOARD AND JULIE MEANS – CALIFORNIA DEPARTMENT OF FISH AND GAME

RESPONSE D-1

Impact 3.1.2 of the Draft EIR identifies that the Proposed Project would result in reduced flows within the Harding Drain, and concludes that the proposed reduction in flows is not an adverse or significant hydrologic change because the City's discharge does not contribute to groundwater or other hydrologic resource, and because removal of the discharge will not reduce flows in the San Joaquin River. In addition, as described in more detail below, the Drain contains flows other than the City's discharge that are part of the environmental baseline.

The City also determined in the Draft EIR that the Proposed Project would have less than significant impacts on sensitive species and other biological resources. As described on page 3.2-7 of the Draft EIR, the Harding Drain is an artificial constructed drainage channel with banks lined predominantly by rip-rap and exposed soil. The Drain has no established riparian corridor -- little vegetation occurs along the banks with the exception of non-native, annual grasses (mainly weeds) and no trees were observed within the channel. This finding is central to the impact analysis and significance conclusions provided in Section 3.2 of the DEIR. Much of the minimal vegetation that does occur is routinely removed from the Harding Drain through maintenance (including dredging) activities in the Drain by TID. Photographs of the Harding Drain were provided in Figure 3.11-2 of the Draft EIR, and these photographs (which are typical of the entire stretch of the Harding Drain) demonstrate the essential absence of riparian vegetation, which was also confirmed by site visits.

RESPONSE D-2

As requested the available quantitative data regarding baseline flows in the Harding Drain is summarized in Table 3.1-2 of the Final EIR. The comment data set has been included as Appendix H to the Draft EIR and is included in this FEIR as Attachment 1. This data identifies spills into the Harding Drain from discrete irrigation canals from 1990–2003, and was obtained primarily from TID as the owner and operator of Harding Drain. The data indicates that over a base period of 14 years (168 months) there would be substantial flow in the Drain at all times even absent the City's discharge. The canal spills occur along the length of the Harding Drain, beginning with the Drain's origin at TID Lateral 5. The distribution of canals along the length of the Drain ensures a steady supply of water throughout the Drain even absent the City's discharge. In only 1 of the 168 months of the base period (December 1998) did any portion of the Drain not receive upstream flow from a TID spill, and this stretch was limited to the uppermost two miles of the Drain. Assuming a repetition of hydrologic conditions, the City has determined that this single month would not pose a significant impact to biological resources due to infrequency of occurrence and because two TID canals spill into the Drain immediately below the stretch, enabling access to water by simply moving along the Drain. In addition, nearly an inch of rain fell in the area that month, making it likely that precipitation and runoff contributed supplemental

flows in that stretch and throughout the Drain -- in fact, during all year types, it is likely that precipitation, runoff, tailwater from agricultural practices and rising groundwater would add even more water to the Drain than is accounted for by the spill data.

LETTER E. DAVID L. MYERS – STANISLAUS COUNTY DEPARTMENT OF PUBLIC WORKS

RESPONSE E-1

As provided on page 3.6-10 and 3.6-12 of the Draft EIR, the City is required to comply with the San Joaquin Valley Air Pollution Control District's Regulation VIII and its adopted permit, which will require the daily removal of dirt and debris from the roadway for dust suppression.

RESPONSE E-2

As described in the Draft EIR, Impact 3.8.7 states that use of large trucks during construction could affect road conditions, but impacts are expected to be negligible on major arteries and collectors because these roads are designed for such traffic. To the extent that residential and rural streets are used during construction and for pipelines, the City provides in Mitigation Measures 3.8.7a and 3.8.7b that it will meet the standards specified by the commentor's own organization. It is premature – and neither required by nor consistent with the requirements of CEQA – to identify extensively detailed, final construction and engineering plans prior to release of a Draft EIR, because the comments on the Draft provide an opportunity to refine the project in a manner that protects the environment. For additional clarity regarding the parties involved, please see Chapter 5 of this Final EIR.

RESPONSE E-3

The City agrees that clear zone concepts are important in completing the final design for all above-ground structures proposed as part of the Proposed Project. The suggested mitigation will be added to Mitigation Measure 3.8.6. Please refer to the Chapter 5 for the complete text.

RESPONSE E-4

Please refer to Response E-1.

LETTER F. ARIE W. VANDER POL – TURLOCK IRRIGATION DISTRICT

RESPONSE F-1

The impact of the Proposed Project on existing flows in Harding Drain are addressed in Impact 3.1.2 of the Draft EIR. As described in the DEIR and further described above, the City has determined that the available data indicates that reduction in flow in Harding Drain attributable

to removing the City's discharge does not result in significant adverse hydrological or biological impacts and therefore no mitigation is required. The available quantitative data further supports the significance determination in the Draft EIR. Also, please refer to Responses D-1 and D-2 above for an expanded discussion.

RESPONSE F-2

The City notes the requirement to obtain a Revocable License Agreement (RLA) prior to the discharge of any de-watering flows into the Harding Drain. Although the City does not intend to discharge into the Harding Drain if the Proposed Project is approved, for completeness this requirement will be added to Chapter 2 of the Draft EIR and may be reviewed in Chapter 5.

RESPONSE F-3

The City acknowledges that TID does not authorize irrigation discharges into the Harding Drain without an RLA. The evidence indicates that there is tailwater runoff from agricultural activities into the Harding Drain.

RESPONSE F-4

The City notes the mischaracterization of Lateral 5 in Section 3.1 of the Draft EIR. Lateral No. 5 is the origin of Harding Drain, and eventually becomes the Harding Drain. Please see the revised text in Chapter 5.

RESPONSE F-5

Please refer to the response provided in Response F-1.

LETTER G. JOHN CADRETT – SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

RESPONSE G-1

The City notes the Air District's concurrence with the analysis provided in Section 3.6 and appreciates the District's update on amendments to Rule 8021.

LETTER H. W. RICHARD JANTZ – STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

RESPONSE H-1

The Draft EIR does discuss impacts of the Proposed Project on important farmlands (e.g., prime farmland), specifically impacts 3.3.4 and 3.3.5 on pages 3.3-11 through 3.3-13 specifically identify and evaluate the Proposed Project's potential to temporarily and permanently adversely

affect farmland. As provided in Impact 3.3.5, by virtue of the limited footprints of both the cascade structure and pump station facility; and in the context of the extensive agricultural base within Stanislaus County, the conversion of one and half acres of farmland is considered less-than-significant. Temporary disruptions to farmland may occur, but would be mitigated through the implementation of Mitigation Measure 3.3.4.

Paragraph two of Impact 3.3.6 specifically indicates the pump station site (APN 058-031-011) is covered under the provisions of Williamson Act Contract No. 0913 as verified with County staff. As indicated in Chapter 2 of the Draft EIR, the pump station site will require less than one acre of the subject parcel. For this reason, active irrigated agriculture is expected to continue on the remainder of the property; and cancellation of the existing contract is not anticipated. The notification process required under Government Code Section 51290-51295 is outlined on pages 3.3-13 and 14 of the Draft EIR.

RESPONSE H-2

The second paragraph of Impact 3.3.1 discusses the project's consistency with the County Zoning Ordinance. As provided, the installation of a pump station would be considered a Tier Three use and would require a permit and approval from the County Planning Commission. Tier Three uses are considered consistent when the Planning Commission finds that (1) the use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity, and (2) the parcel on which such use is requested is not located in one of the County's "most productive agricultural areas ." As provided in footnote 1 on page 3.3-9, in determining the "most productive agricultural areas," factors to be considered include but are not limited to soil types and potential for agricultural production; the availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts; existing uses and their contributions to the agricultural sector of the economy.

As provided in Impact 3.3.1, once constructed, the proposed pump station would not interfere with adjacent agricultural uses and, for this reason, the proposed project is deemed consistent with the first set of criteria. Given the broad definition applied to "most productive agricultural areas," the subject property would likely be classified as such since it satisfies several of the prerequisites (e.g., Farmland of Statewide Importance, Williamson Act, soils, etc). However, given the small lot area required for the pump station (less than one acre) and the continuation of agricultural use on the remainder of the subject parcel, the project is considered consistent with the general intent of the A-2 zone. Additionally, the Proposed Project would not significantly conflict with local polices and/or ordinances adopted for the purpose of avoiding or mitigating significant environmental effects. Based on the foregoing evidence, the City has determined that any impact will be less than significant as identified on page 3.3-9 of the Draft EIR.

RESPONSE H-3

The County's suggested mitigation addresses the potential for access restrictions during City notes the project construction. The suggested mitigation text offered by the County is already

detailed in Mitigation Measure 3.8.1a. Please refer to Section 3.8 of the Draft EIR for further discussion.

RESPONSE H-4

Please refer to Responses H-1 and H-2.

RESPONSE H-5

The City notes the contraction in Mitigation Measure 3.7.1. Please refer to Chapter 5 for the deleted text.

LETTER I. KATHRYN GAFFNEY – STATE WATER RESOURCES CONTROL BOARD AND JULIE MEANS – CALIFORNIA DEPARTMENT OF FISH AND GAME

RESPONSE I-1

Comment notes that the flow data provided by Timothy J. Durbin and summarized in Table 3.1-2 of the Final EIR indicates that the removal of the City's WQCF discharges to the Harding Drain would not significantly dewater the channel. This finding supports the less-than-significant determination provided in the Draft EIR. In recognition of this finding, the comment notes DFG's concurrence with a less-than-significant determination for impacts to riparian habitat within the Drain.

Per the comments request, a schematic of all the laterals that spill into the Harding Drain has been added to the Final EIR as Figure 3.1-2 and may be reviewed in Chapter 5.

CHAPTER 5

MINOR CHANGES AND EDITS TO THE DRAFT ENVIRONMENTAL IMPACT REPORT

CHAPTER 5

MINOR CHANGES AND EDITS TO THE DRAFT ENVIRONMENTAL IMPACT REPORT

Comments received on the Draft EIR during the 49-day review period require clarification and minor revisions to the draft document. The actual revisions are presented in Chapter 5 of this document. The City has reviewed the Draft EIR and has determined that none of these changes constitute new significant information or result in any new significant impacts of the Proposed Project.

MINOR CHANGES AND EDITS TO THE DRAFT EIR

EXECUTIVE SUMMARY

No changes required.

CHAPTER 1.0 – INTRODUCTION

No changes required.

CHAPTER 2.0 – PROJECT DESCRIPTION

Page 2-22 of the Draft EIR has been modified to reflect additional information provided by TID.

TID REVOCABLE LICENSE AGREEMENT

TID's jurisdiction includes numerous right-of-ways within the project area consisting of a vast system of irrigation and drainage canals. Any work within the right-of-way of a TID corridor is subject to TID Engineering Standards governing allowable actions, facility crossing, required inspections, and modifications to the right-of-way. TID issues revocable license agreements (RLA) to encroach on land within their jurisdiction to ensure encroachment is compatible with the primary uses of the irrigation system, ensure safety, and to protect the TID's investment in the irrigation system. TID requires the acquisition of a RLA prior to the discharge of any de-watering flows into a TID operated drainage facility. The encroachment permit requirement applies to persons, corporations, cities, counties, utilities, and other government agencies. The various sections of the proposed alignment that cross TID canals may require individual encroachment permits.

CHAPTER 3.0 – ENVIRONMENTAL ANALYSIS

SECTION 3.1 - WATER RESOURCES

- The second sentence in paragraph one on Page 3.1-1 of the Draft EIR has been modified to reflect the actual annual perception occurring in the area since 1952.

The majority of the annual precipitation occurs from December through April with ~~approximately~~ an average of 12.11 inches of rainfall per year.

- The last sentence in paragraph one on page 3.1.2 of the Draft EIR has been modified to differentiate between the Harding Drain and TID Lateral No. 5.

Canals that will be crossed by the proposed pipeline are shown in **Figure 3.1-1**, and include the ~~TID Lateral No. 5 (~~Harding Drain~~)~~, the Prairie Flower Drain and several smaller unnamed drainages.

- Page 3.1.2 of the Draft EIR has been modified to reflect the addition of Table 3.1-2 and associated text: The addition of this table necessitates a revision to the table numbering in Section 3.1.

The Harding Drain was constructed and is currently operated and maintained by the Turlock Irrigation District (TID) as an agricultural irrigation conveyance drain system to intercept and convey irrigation return flows. Flows in Harding Drain fluctuate depending upon irrigation return flows, and the amount of stormwater, groundwater, or other discharges present. Along with treated wastewater from the City and depending on the time year, flows within the Harding Drain consist of a combination of TID operational spill water, local runoff due to precipitation, and flows from groundwater dewatering. **Figure 3.1-2** illustrates the laterals that spill into the Harding Drain. **Table 3.1-2** provides flow data for the Harding Drain from 1990 through 2003 and includes an indication of those flows attributable to the City's wastewater effluent in relation to operational spill from Laterals 4, 4.5, 5, 5.5, and Lower Lateral 5.5.

TABLE – 3.1-2 – HARDING DRAIN MONTHLY FLOWS[A]

Water Year	Annual Precipitation[B]	Climatic Condition (Normal, Wet, or Dry)[C]	City of Turlock Wastewater Discharge into Harding Drain (total annual)	City of Turlock Minimum Wastewater Discharge (monthly)	City of Turlock Maximum Wastewater Discharge (monthly)	Total Discharge into Harding Drain (All Sources)	Total Discharge into Harding Drain (TID Laterals)	Percent of City Contribution (annual average)	Maximum Percent of City Contribution (monthly)	Month of Occurrence
1990-91	8.67	N	7687	479	727	17825	10138	0.43	0.66	10/90
1991-92	11.39	N	7968	502	751	16016	8048	0.50	0.94	1/92
1992-93	16.39	W	8248	526	774	24470	16222	0.34	0.88	12/92
1993-94	9.38	N	8529	549	797	30648	22118	0.28	0.65	1/94
1994-95	19.94	W	8728	572	807	32328	23600	0.27	0.67	11/94
1995-96	14.48	N	8843	582	817	43427	34584	0.20	0.60	3/96
1996-97	14.78	W	8959	592	826	46605	37646	0.19	0.95	12/96
1997-98	23.53	W	9075	601	836	49641	40565	0.18	0.37	11/97
1998-99	10.18	N	9243	611	854	34747	25504	0.27	0.77	11/98
1999-00	12.38	N	9599	629	895	40835	31236	0.24	0.65	12/99
2000-01	13.02	N	10107	670	939	37701	27594	0.27	0.74	2/01
2001-02	9.92	N	9634	714	939	29338	19704	0.33	0.68	12/01
2002-03	10.81	N	10833	711	1032	27080	16247	0.40	0.68	11/02

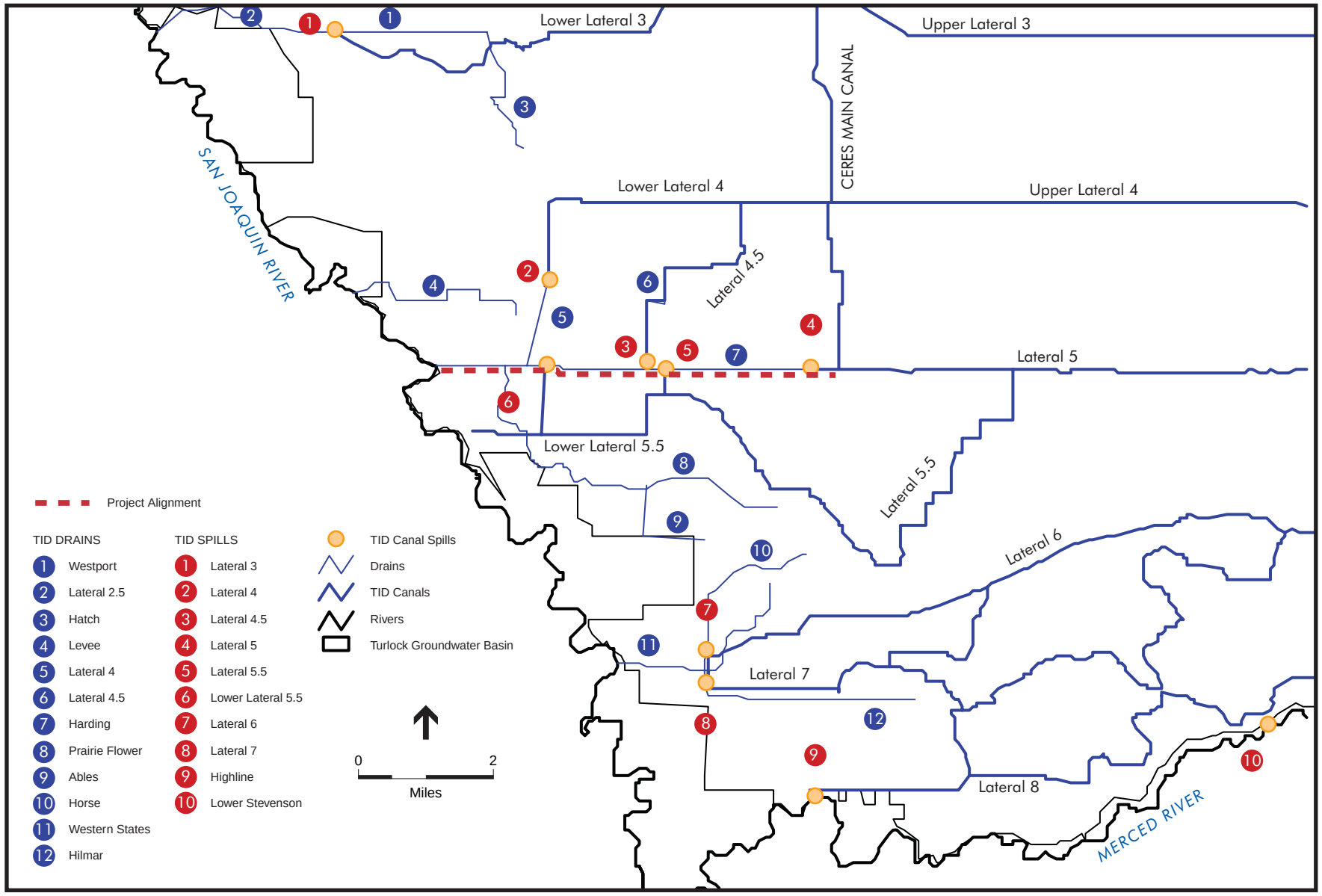
A. All values except precipitation are in acre-feet per month. City of Turlock provided wastewater discharge data for the years 1999-2002. These values were used to calculate a monthly percentage of pumping that goes to wastewater. Pumping data was provided by the City for the years 1990-2002, and the same percentage from years 1999-2002 was applied to years 1990–1998. TID and David's Engineering provided canal spill data for 1990-2003.

B. Precipitation data is in inches; water year July 1 through June 30. Climate data from the Turlock Station was compiled from the Western Regional Climate Center.

C. Based on average annual rainfall of 12.11 inches per year since 1952 and using the following general guidelines: wet conditions are considered to occur when precipitation is greater than 130% of average; dry conditions occur when precipitation is less than 70% of average; and normal conditions exist when precipitation is between 60% and 130% of normal.

Note: Monthly flow data is provided in Attachment 1 of the FEIR.

Source: Durbin, 2004



SOURCE: Turlock Irrigation District and Environmental Science Associates, 2005

Figure 3.1-2
Canal, Drain, and Spill Locations within Turlock and Merced Irrigation Districts

- Tables 3.1-2 and 3.1-3 in the Draft EIR have been renumbered due to the inclusion of flow data for the Harding Drain.

TABLE 3.1-~~2~~3
BMP EXPECTED POLLUTANT REMOVAL EFFICIENCY

	Typical Pollutant Removal (percent)				
Structural BMP Type	**Suspended Solids**	**Nitrogen**	**Phosphorus**	**Pathogens**	**Metals**
Dry Detention Basins	30 – 65	15 – 45	15 – 45	<30	15 – 45
Retention Basins	50 – 80	30 – 65	30 – 65	<30	50 – 80
Constructed Wetlands	50 – 80	<30	15 – 45	<30	50 – 80
Infiltration Basins	50 – 80	50 – 80	50 – 80	65 – 100	50 – 80
Infiltration Trenches / Dry Wells	50 – 80	50 – 80	15 – 45	65 – 100	50 – 80
Porous Pavement	65 – 100	65 – 100	30 – 65	65 – 100	65 – 100
Grassed Swales	30 – 65	15 – 45	15 – 45	<30	15 – 45
Vegetated Filter Strips	50 – 80	50 – 80	50 – 80	<30	50 – 80
Surface Sand Filters	50 – 80	<30	50 – 80	<30	50 – 80
Other Media Filters	65 – 100	15 – 45	<30	<30	50 – 80
Construction Site BMP Type					
Silt Fence	50 – 80				
Sediment Basin	55 – 100				
Sediment Trap	60				

SOURCE: EPA, 1999; EPA, 1993.

TABLE 3.1-~~3~~4
WQCF EFFLUENT LIMITATIONS UNDER
REGIONAL BOARD ORDER 5-01-122

Constituent [1]	**Unit**	**Regulatory Standard**	**Monthly Average**	**Daily Maximum**	**Interim Monthly Average** [2]	**Interim Daily Maximum** [2]
BOD	mg/l	n/a[3]	10	20	30	90
Total Suspended Solids	mg/l	n/a[4]	10	20	30	90
Settleable Solids	mg/l	n/a	0.1	0.1	N/A	N/A
Total Coliform	MPN/100 ml	2.2/100	2.2 as monthly median	240	23	500
Turbidity	NTU	n/a	2	5	N/A	N/A
Oil and Grease	mg/l	n/a	10	15	N/A	N/A
Chlorine	mg/l	n/a	0.01	0.02	N/A	N/A

1. As a result of State Board Order 2002-0016, effluent limitations for aluminum, copper, cyanide, zinc, bromodichloromethane, molybdenum, tributyltin, iron and manganese were remanded to the Regional Board for reconsideration, and the effectiveness of those limitations in the current Permit were stayed.
2. In effect until 1 May 2006.

Source: City of Turlock, 2003

- Figure 3.1-2 of the Draft EIR has been renumbered to 3.1-3 due to the inclusion of a new figure (Figure 3.1-2) illustrating the location of various laterals spills into the Harding Drain.

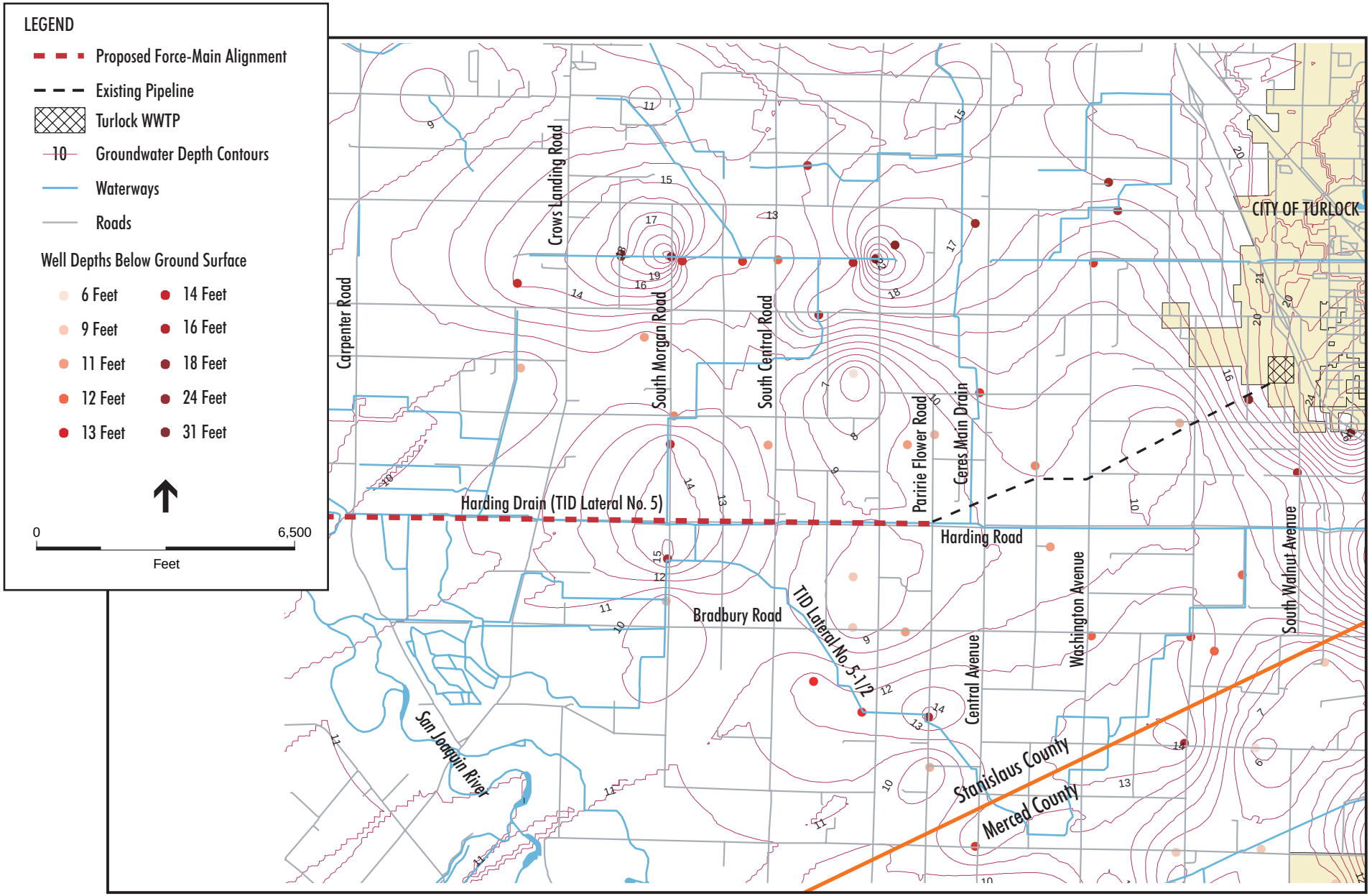
- Impact 3.1.2 of the Draft EIR has been clarified to reflect the detailed flow data provided by **Table 3.1-2.** More specifically, the following modifications and additions apply to the impact discussion provided on page 3.1-14:

Impact

3.1.2 Hydrology – Removal of treated-wastewater from the Harding Drain will not reduce existing flows in the San Joaquin River, but would lead to reduced flows in the Harding Drain. (Less-than-Significant)

As previously described, the Harding Drain is an artificial irrigation drain that captures ~~poor quality~~ irrigation flows, treated-wastewater effluent, stromwater, and groundwater influx. Since groundwater elevations are relatively shallow (see Figure 3.1-~~2~~3), groundwater "dewaters" or "rises" from the local shallow aquifer into the Harding Drain. The removal of wastewater flows from Harding Drain may create a steeper gradient that may from time to time (depending on climate and other hydrologic conditions) allow more groundwater to flow from the local shallow aquifer into the Drain until the groundwater and Drain water systems reach equilibrium (Timothy J. Durbin, Inc, 2004).

Table 3.1-2 provides available data regarding flows in the Drain and supports the City's determination that although the Proposed Project will reduce the volume of flow within Harding Drain, this reduction is not a significant adverse hydrologic (or biological) impact . This determination is supported by the origin, character and existing uses of Harding Drain, the presence of existing flows in the Drain (which are part of the environmental baseline), the poor habitat conditions documented within Harding Drain, the presence of a locally high groundwater table and the likelihood for substantial influx from groundwater, percolation, runoff and other sources. Additionally, as shown in Table 3.1-2, times at which the City's treated-wastewater effluent accounts for the largest percentage of the flow within the Harding Drain occurs during the winter months when flow capacity within the Drain is limited. This phenomenon is likely attributed stormwater infiltration into the City's wastewater collection system during large rainfall events. During the summer and fall months, when irrigation demand is at its peak, the City's wastewater effluent flow accounts for less than 20 percent of the flows, and other sources such as irrigation return flows constitute the majority of flow.



Harding Drain Bypass Project / 203206 ■

SOURCE: Environmental Science Associates, 2004

Figure 3.1-3
Groundwater Depths

SECTION 3.1 - BIOLOGICAL RESOURCES

- Impact 3.2.3 of the Draft EIR has been clarified to provide additional detail regarding the generally poor riparian habitat documented along the Harding Drain:

Impact

3.2.3 Based on the habitats present in the Project area, several special-status species may be impacted by the Proposed Project. (Potentially Significant).

Based on habitat types present within the project area, special-status species including Western Burrowing Owl, Ferruginous Hawk, White-Tailed Kite, San Joaquin Whipsnake, and Northwestern Pond Turtle could be affected by the Proposed Project. It is anticipated that the majority of impacts will be construction-related by virtue of those actions proposed in Chapter 2.0. As indicated in Section 3.1, the project would result in a permanent reduction in flows within the Harding Drain with the most notable reduction occurring during the winter months. This reduction, however, would not apply to the San Joaquin River, since the proposed outfall would be located upstream of the confluence of Harding Drain with the San Joaquin River. Based on the general lack of established riparian vegetation within the Harding Drain in combination with current vegetation removal practices to maintain channel capacity, the decreased flow in the Harding Drain will not have a significant adverse affect on riparian vegetation, special status species, or other biological resources . Based on this conclusion, the impact discussion focuses on those impacts to biological resources, particularly special-status species that could occur within the construction easement and during the operation of the proposed above-ground structures.

SECTION 3.8 – TRAFFIC AND CIRCULATION

- Mitigation Measure 3.8.6 has been revised to include additional mitigation at the request to the County Department of Public Works.

Mitigation Measures

3.8.6a Implement Mitigation Measure 3.8.1a.

3.8.6b The City in coordination with Stanislaus County Department of Public Works will ensure the integration of clear zone concepts into the final design of proposed above-ground structures. Final design will also account for the ultimate rights-of-way for affected roadways.

- Mitigation Measure 3.8.7a has been revised to provide better clarity in regards to the roles of the cooperating entities.

Mitigation Measures

3.8.7a Prior to construction, the City, a County representative, and the City's construction contractor(s) will be responsible for assessing current road conditions for all project routes once final design plans are complete in efforts to develop post-construction road restoration requirements. An agreement shall be entered into by the City and ~~corresponding jurisdiction~~ County prior to construction that details post-construction road restoration requirements. Staff of the Stanislaus County Public Works Department shall review the post-construction restoration ~~standards~~ plans for each of the affected haul routes to ensure compliance with County standards. The City shall perform roadway repairs or rehabilitation as necessary such that post-construction requirements are met.

CHAPTER 4.0 – ALTERNATIVES ANALYSIS

No changes required.

CHAPTER 5.0 – GROWTH INDUCING IMPACTS

No changes required.

CHAPTER 6.0 – OTHER CEQA STATUTORY CONSIDERATIONS

- Section 6.4 of Chapter 6.0 has been modified to reflect that there are no identified significant and unavoidable impacts associated with this Proposed Project. In addition, no commenter identified any evidence, and there is no evidence in the record, that it is in any way reasonably foreseeable that existing flows other than the City's would be removed from the Harding Drain in the foreseeable future. Section 6.4 of Chapter 6.0 of the Draft EIR should read in its entirety as follows:

Section 15093 of the CEQA Guidelines allows the decision-making body of the lead agency to determine if the benefits of a Proposed Project outweigh the unavoidable adverse environmental impacts of implementing the project. If the City chooses to approve the project with unavoidable adverse impacts, it must prepare a "Statement of Overriding Considerations" setting forth the specific reasons for making such a judgment. A list of unavoidable adverse impacts identified in this EIR is provided below. In addition to certifying the final EIR, the City is required to adopt Findings and prepare a Statement of Overriding Consideration for unavoidable impacts associated with the project. As indicated in the environmental analysis provided in Chapter 3.0, the Proposed Project would not have a significant and unavoidable impact on the environment.

APPENDICES

- Addition of a new appendix (Appendix H) in the Draft EIR has been added to provide additional and more detailed hydrology data within the Harding Drain. This data is located in Attachment 1 of the FEIR.

CHAPTER 6

MITIGATION MONITORING AND REPORTING PROGRAM

CHAPTER 6
MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 21081.6(a)(1) of the Public Resources Code requires public agencies, as part of the certification of an EIR, to prepare and approve a reporting or monitoring program. This program should be structured to ensure that changes to the project that the lead agency has adopted to mitigate or avoid significant environmental impacts are carried out during project implementation.

The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Final EIR for the Harding Drain Bypass Project EIR prepared by the City. This MMRP is intended to be used by the City's mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed as part of the EIR process for the Proposed Project.

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP will provide for monitoring of construction activities as necessary, in-the-field identification and resolution of environmental concerns, monitoring of daily operation of components of the facility, and proper reporting to the District.

COMPLIANCE CHECKLIST

Table 6-1 contains a compliance monitoring checklist that provides a synopsis of all adopted mitigation measures, the entity responsible for their implementation, the entity responsible for monitoring, and the timing of implementation. All the mitigation measures presented in **Table 6-1** will be incorporated into the Proposed Project.

IMPLEMENTATION AND MONITORING OF MITIGATION MEASURES

Since the mitigation measures will be incorporated into the Proposed Project, implementation and monitoring of mitigation measures will occur at various stages of implementation of the Proposed Project, which may include, but are not limited to, the following:

- Implementation of development and design standards, guidelines, and programs for the Proposed Project.
- Grading, site preparation; and construction of the Proposed Project.
- On-going operation of the Proposed Project.
- On-site, day-to-day monitoring of construction activities.
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- Ensuring contractor knowledge of and compliance with all appropriate permit conditions and the MMRP.
- Verifying the accuracy and adequacy of contract wording.
- Having the authority to require correction of activities that violate project permit conditions or mitigation measures. The inspector shall have the ability and authority to secure compliance with the MMRP through the City Manager, if necessary.
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City.
- Obtaining assistance as necessary from technical experts, such as archaeologists, botanists, and wildlife biologists in order to develop site- specific procedures for implementing the mitigation measures. Particularly for implementing the appropriate special-status species, marsh, or mature tree mitigation measures.
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

Responsibility of implementation and monitoring of mitigation measures will typically reside with the City staff as described in **Table 6-1**.

TABLE 6-1
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.1	**WATER RESOURCES**					
3.1.1a	To minimize the exposure of sediments to runoff, the City would implement measures contained in the Construction Contractor's Guide and Specification of the Caltrans Storm Water Quality Handbook (The Handbook; April 1997) and the SWRCB Water Quality Order 99-08-DWQ, NPDES, General Permit for Stormwater Discharge Associated with Construction Activity.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	
3.1.1b	All construction plans and activities shall implement multiple BMPs to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but are not limited to, the following measures: • Temporary erosion control measures (such as silt fences, staked straw bales/ wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be employed for disturbed areas. • Dirt and debris shall be swept from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
• Grass or other vegetative cover will be established on the construction site as soon as possible after disturbance. At minimum, vegetative application shall be done by September 15th to allow for plant establishment. No disturbed surfaces will be left without erosion control measures in place during the period of October 15th to April 15th.					
• Silt fences and catch basins will be placed below all construction activities at the edge of the river to intercept sediment before it reaches the river. These structures will be installed prior to any clearing or grading activities.					
• Spoil sites will be located such that they do not drain directly into the San Joaquin River or TID Laterals, if possible. If a spoil site drains into the river or local drains, catch basins will be constructed to intercept sediment before it reaches the river. Spoil sites will be graded to reduce the potential for erosion.					
While data is scarce regarding the effectiveness of BMPs as erosion and sediment controls, the expected pollutant removal efficiencies given in Table 3.1-2 suggest that multiple BMPs used in combination, properly installed and maintained, can achieve significant sediment removal. Therefore the final selection and design of erosion and sediment controls should include the use of multiple BMPs to protect water quality.					
BMPs proposed by the City's contractor shall be subject to approval by the City, and the City shall require that all parties performing construction under the Proposed Project incorporate into contract specifications the requirement that the contractor(s) comply with and implement these provisions. The contractor shall also include provisions for monitoring during and after construction activities to verify that these standards are met.					

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.1.1c	Implement Mitigation Measure 3.10.2.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus, RWQCB, DOT, and TID	Verification of inclusion within contract wording	Throughout construction	
3.2	**BIOLOGICAL RESOURCES**					
3.2.1a	As noted above, the project area appears to provide only marginal habitat for GGS. Nonetheless, a survey for Giant Garter Snake (GGS) will be conducted by a qualified biologist within 24 hours prior to the start of construction, and if GGS are present and there is a reasonable likelihood that construction will adversely impact GGS, the City and its construction contractor will adhere to the appropriate terms and conditions of the Programmatic Biological Opinion issued to the ACOE by the USFWS for giant garter snake (dated Nov. 13, 1997).	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.1b	Prior to construction, all construction workers shall take part in a Service-approved worker environmental awareness program given by a Service-approved biologist.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.1c	The construction easement for the proposed crossings shall be fenced using temporary fencing to reduce the possibility of incidentally impacting giant garter snake habitat outside of the construction area.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.2.1d	If construction activities occur between April 1st and August 31st, a survey for active Swainson's hawk nests shall be conducted along the proposed alignment according to the CDFG's Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California by a qualified wildlife biologist. The survey shall be limited to trees within 500 feet of the proposed alignment.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.1e	If active nests are detected and potential impacts are identified, measures that will avoid or mitigate impacts will be implemented. Avoidance measures may include, but are not limited to, establishing buffer zones around nests and retaining a qualified wildlife biologist to monitor active nests during construction.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	
3.2.2a	Construction activities along the banks of and within the San Joaquin River will, to the extent feasible, shall be limited to the period between June 1st and August 31st, the period during which impacts to native fisheries are not likely to occur.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Throughout construction	
3.2.2b	Implement Mitigation Measure 3.1.1.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the RWQCB	Verification of compliance by RWQCB	Throughout construction	
3.2.3a	Prior to construction, the proposed alignment (San Joaquin River levee, Harding Drain banks, and grassland habitat areas) shall be surveyed by a qualified biologist for burrowing owls using established CDFG protocols (Appendix F).	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.3b	If burrowing owls are detected within the construction zone, mitigation that will avoid active nest sites or compensate for the loss of nest sites shall be developed in coordination with CDFG.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.2.3c A qualified biologist shall survey the proposed pipeline trenching and aeration facility construction site within the annual/alkali grassland habitat for the presence of San Joaquin whipsnakes. The survey shall take place no more than 24 hours prior to construction. If a snake is detected by the survey, no construction shall take place until the snake has left the construction area and CDFG shall be notified for proper guidance. The performance standard for this action is that no snake shall be harassed or taken.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.3d Implement all mitigation measures listed for giant garter snakes. Biological monitors present during canal/ditch crossing construction shall also monitor for northwestern and southwestern pond turtles on the site, and pre-construction surveys shall also target northwestern and southwestern pond turtles.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.4a Prior to construction of the Proposed Project, the proposed alignment and aeration facility location west of Carpenter Road, shall be surveyed by a qualified botanist for special-status plants at the appropriate flowering period (May–July) using established CNPS protocols.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.4b If special-status plants are detected within the construction zone or the immediate vicinity, mitigation that will avoid impacts within 50' of these plants or compensate for unavoidable impacts to habitat shall be developed in coordination with CDFG. Mitigation may include protection of existing rare plant occurrences and habitats by rerouting the alignment or protecting other alkaline wetland habitats in the area where they may occur at a 2:1 ratio using existing Mitigation Banks.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	
3.2.5a Fill of wetland areas will be minimized wherever possible. Temporary construction fencing will be erected around the Project site to reduce the potential of incidental fill.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.2.5b Following pipeline construction, wetland/stream crossings shall be restored to pre-construction contours. Areas exposed due to construction shall be re-vegetated using a mix of native vegetation.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Upon completion of construction	
3.2.6a If construction activities occur between March 15th and September 15th (the raptor breeding season), a survey for active nests of raptors shall be conducted by a qualified wildlife biologist at the project site and within a 500 foot buffer surrounding the site. These surveys should be integrated with pre-construction surveys conducted for Swainson's Hawk.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.6b Implement Mitigation Measure 3.2.1e.	City of Turlock Public Works Director or designee	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	
3.3 LAND USE AND AGRICULTURE					
3.3.2a The City of Turlock shall require its construction contractor to provide a minimum 2-week advance notice of the construction activities schedule to the affected community members adjacent to construction areas (e.g., residences, property owners, business owners, and public facility operators), including the posting of signs.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus, and TID	Verification of compliance by the County of Stanislaus, and TID	Prior to construction within each respective jurisdiction	
3.3.2b The City of Turlock, in cooperation with its contractor(s), shall provide a phone number and community contact for inquiries about the project's schedule throughout the construction period. This information will be posted in a local newspaper and at City Hall and will be updated on a weekly basis.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus, and TID	Verification of compliance by the County of Stanislaus, and TID	Prior to construction within each respective jurisdiction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.3.2c	The City and its contractor(s) shall coordinate with local jurisdictions and obtain all necessary permits (e.g., encroachment permit, utility excavation permit), comply with permit conditions established to minimize construction impacts, and coordinate inspections with Stanislaus County to oversee construction activities.	City of Turlock Public Works Director or designee	City of Turlock in consultation with the County of Stanislaus, and TID	Acquisition and compliance with encroachment permits from the County of Stanislaus, and TID	Prior to construction	
3.3.2d	Implement San Joaquin Valley Air Pollution Control District (SJVAPCD) required fugitive dust control measures, Mitigation Measure 3.7.1a through d, and Mitigation Measure 3.8.1a through e.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the SJVAPCD.	Verification of compliance from the SJVAPCD	Prior to and throughout construction	
3.3.3	The City's contractor shall, as part of the right-of-way surveys and final design work, identify all mailboxes, walls, fences, driveways, potable water wells and landscaping located in the alignment and prepare a relocation and replacement plan for each to address impacts resulting from displacement of existing improvements in the pipeline alignment.	City of Turlock Public Works Director or designee	City of Turlock	Verification of compliance prior to the commencement of construction	Prior to construction	
3.3.4	Restore affected lands to pre-project conditions.	City of Turlock Public Works Director or designee	City of Turlock	Verification of Compliance from the Department of Conservation	Upon completion of construction	
3.3.5	Implement Mitigation Measure 3.3.4.	City of Turlock Public Works Director or designee	City of Turlock	Verification of Compliance from the Department of Conservation	Upon completion of construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.4	**PUBLIC SERVICES AND UTILITIES**					
3.4.1a	The City's construction contractor(s) shall provide a copy of the Traffic Control Plan to the Sheriff's Department, County Fire Department, and any private ambulance service providers for informational and coordination purposes prior to construction.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus	Completion of Traffic Control Plan	Prior to construction	
3.4.1b	The City's construction contractor(s) shall provide 72-hour notice to the local service providers prior to construction of individual pipeline segments. Discussion on the Traffic Control Plan is provided in Section 3.8, Transportation, and Traffic Circulation, under Measure 3.8.1a.	City of Turlock Public Works Director or designee	City of Turlock	Verification of noticing	Prior to and throughout construction	
3.4.6	Underground utilities and service connections shall be identified by the City's construction contractor(s) prior to commencing any excavation work through the implementation of an underground services alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as "pot-holing"). Temporary disruption of service may be necessary to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.	City of Turlock Public Works Director or designee	City of Turlock	Verification of USA compliance	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.5	**CULTURAL RESOURCES**					
3.5.1	If any historic or prehistoric find is determined to be significant by a qualified archaeologist, representatives of the City and the archaeologist and/or paleontologist would meet to determine an appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards in accordance with CEQA Guidelines Section 15064.5 (f).	City of Turlock Public Works Director or designee	City of Turlock in coordination with the Native American Heritage Commission	Verification of compliance from the Native American Heritage Commission	Instructions included in grading and construction plans	
3.5.2	Implement Mitigation Measure 3.5.1.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the Native American Heritage Commission	Verification of compliance from the Native American Heritage Commission	Instructions included in grading and construction plans	
3.5.3	In the event of the discovery of human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows:	City of Turlock Public Works Director or designee	City of Turlock in coordination with the Stanislaus County Coroner and Native American Heritage Commission	Verification of compliance from the Stanislaus County Coroner and Native American Heritage Commission	Instructions included in grading and construction plans	
	(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:					
	(A) The coroner of the county in which the remains are discovered must be contacted to verify that the remains are human, that no investigation of the cause of death is required, and					

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
(B) If the coroner determines the remains to be Native American: 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The Most Likely Descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.					
3.6 AIR QUALITY					
No mitigation is required beyond the implementation of measures identified in Regulation VIII, Rule 8010.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the SJVAPCD	Verification of compliance from the SJVAPCD	Throughout construction activities	
3.7 NOISE					
3.7.1a Construction activities within rural and urban residential areas shall be limited to the hours and days specified by each jurisdiction as follows: 1. Construction activity is limited to hours and days when noise standard exemptions apply, per encroachment permit.	City of Turlock Public Works Director or designee	City of Turlock	Verification of compliance with applicable noise regulations.	Throughout construction activities	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
	2. If construction outside those exempt time periods is proposed, the City shall obtain a variance from the appropriate jurisdiction. 3. Where no construction exemption is granted, construction shall be scheduled between 7:00 a.m. to 7:00 p.m., Monday to Friday, or other hours and days as established by the appropriate local jurisdiction in applicable encroachment permits.					
3.7.1b	The City shall require in construction specifications that the contractor select staging areas as far as feasibly possible from existing residences. Activities within these staging areas shall conform to the time limitations established in Mitigation Measure 3.7.1a.	City of Turlock Public Works Director or designee	City of Turlock	Verification of final staging area locations.	Final construction plans	
3.7.1c	Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturers' specifications) and by shrouding or shielding impact tools. All equipment shall have sound-control devices no less effective than those provided by the manufacturer.	City of Turlock Public Works Director or designee	City of Turlock	Inclusion of manufactures specifications within contract wording	Final construction plans	
3.7.1d	The City shall require in construction specifications that the contractor place all stationary noise generating construction equipment as far away as feasibly possible from sensitive receptors or in an orientation minimizing noise impacts (i.e., behind existing barriers or storage piles, etc.).	City of Turlock Public Works Director or designee	City of Turlock	Inclusion of manufactures specifications within contract wording	Final construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.8 TRANSPORTATION AND CIRCULATION					
3.8.1a Prior to the onset of construction of the project, a Traffic Control Plan will be prepared for all project-affected roadways and intersections. The Traffic Control Plan shall comply with requirements in all relevant encroachment permits issued by Stanislaus County. The Traffic Control Plan to be prepared by the construction contractor(s) may include the following measures: • Maintain the maximum amount of travel lane capacity during non-construction periods, with all trenches covered with steel plates or backfilled and roadways open for use. • Use detour signing on alternate access streets when temporary full street closure is required. Alternatively, limit the construction work zone in each block to a width that, at a minimum, maintains alternate one-way traffic flow past the construction zone where feasible. • Restrict construction to non-peak traffic periods as required for specific work sites in encroachment permits. Weekend and night work shifts may be considered in non residential areas only. • Coordinate construction activities (time of year and duration) to minimize traffic disturbances adjacent to agricultural areas and dairies. • Post advanced warning of construction activities (e.g., signs, articles in newspapers, notices on radio/TV, etc.) to allow motorists to select alternative routes in advance.	City of Turlock Public Works Director or designee	City of Turlock	Completion of the Traffic Control Plan and verification of its inclusion in contract wording on construction plans	Final construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
	• Specifications that allow for direct passage for bicyclists and pedestrians in all areas potentially affected by project construction. If direct passage is not feasible, the detour routes shall be provided. • Warning signs and speed control (including signs informing drivers of State-legislated double fines for speed infractions in a construction zone) shall be provided, where necessary, to achieve required speed reductions for safe traffic flow through the work zone.					
3.8.1b	Prior to onset of construction, and in consultation with Stanislaus County, the City's construction contractor(s) shall identify areas where night construction may be appropriate. Night construction shall be performed in all areas identified, but not within 1,000 feet on an existing residence.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus	Verification of contract wording.	Construction Plans	
3.8.1c	Expedite construction by using multiple work crews so that disturbances are kept as short in duration as possible.	City of Turlock Public Works Director or designee	City of Turlock	Verification of contract wording	Construction Plans	
3.8.1d	Arrange for a 24-hour telephone hotline to address public questions and complaints during project construction, and to offer information about detours, etc.	City of Turlock Public Works Director or designee	City of Turlock	Confirmation of 24-hour hotline	Throughout construction	
3.8.2a	As part of the Traffic Control Plan for roadway segments and intersections (see Measure 3.9.1a), designated haul routes will be specified for the project after consultation with relevant agencies (e.g., Caltrans and County Public Works).	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.8.2b	To the extent possible, daily work sites will be scheduled such that their relative locations shall disperse truck trips over a number of different haul routes, thereby lessening the number of truck trips on any one road. In addition, construction worker and truck trips during peak traffic periods shall be avoided, to the extent possible.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.3a	As part of the Traffic Control Plan for roadway segments and intersections (Measure 3.9.1a), comprehensive strategies for maintaining emergency access shall be developed for sensitive land uses such as residential and agricultural areas in consultation with the facility owner or administrator. Strategies shall include, but not be limited to, maintaining steel trench plates at the construction sites to restore access across open trenches, and identification of alternate routing around construction zones. Also, police, fire, and other emergency service providers shall be notified of the timing, location, and duration of construction activities and the location of detours and lane closures.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.3b	Implement Mitigation Measure 3.8.1b.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording		
3.8.3c	Use detour signing on alternate access streets established when temporary full street closure is required.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.3d	The City shall provide a minimum 72 hour advance notice of access restrictions for residents and businesses.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Prior to construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.8.5	Construction contracts shall require the contractor(s) to provide off-street parking for construction worker's vehicles in the vicinity of the work zone, or, workers may be shuttled to the work site from an off-site location.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.6a	Implement Mitigation Measure 3.8.1a.	City of Turlock Public Works Director or designee	City of Turlock	Completion of the Traffic Control Plan and verification of its inclusion in contract wording on construction plans		
3.8.6b	The City in coordination with Stanislaus County Department of Public Works will ensure the integration of clear zone concepts into the final design of proposed above-ground structures. Final design will also account for the ultimate rights-of-way for affected roadways.					
3.8.7a	Prior to construction, the City, a County representative, and the City's construction contractor(s) will be responsible for assessing current road conditions for all project routes once final design plans are complete in efforts to develop post-construction road restoration requirements. An agreement shall be entered into by the City and County prior to construction that details post-construction road restoration requirements. Staff of the Stanislaus County Public Works Department shall review the post-construction restoration plans for each of the affected haul routes to ensure compliance with County standards. The City shall perform roadway repairs or rehabilitation as necessary such that post-construction requirements are met.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus	Verification of inclusion within contract wording	Construction plans	
3.8.7b	The City shall obtain encroachment permits from Stanislaus County prior to construction of the project, and comply with haul route designations, and roadway wear monitoring and repairs conditions.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus	Verification of issuance of encroachment permits	Prior to construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.9 GEOLOGY, SOILS, AND SEISMICITY					
3.9.4 Implement Mitigation Measures 3.1.1a, 3.1.1b, and 3.1.1c.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	
3.10 HAZARDS AND HAZARDOUS MATERIALS					
3.10.1a If contaminated soil and/or groundwater or suspected contamination were encountered during project construction, work shall be halted in the area, and the type and extent of the contamination shall be identified. The depth of trenches would be approximately eight to nine feet. A contingency plan to dispose of any contaminated soil or groundwater should be developed through consultation with the appropriate regulatory agencies. If dewatering were to occur during project construction, the RWQCB should be consulted for any special requirements such as containing the water until it can be sampled and analyzed to ensure that no contaminants are in the groundwater that could be released into the TID drainage system.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus, RWQCB, and TID	Verification of inclusion within contract wording	Throughout construction activities	
3.10.1b Implement Mitigation Measure 3.1.1b.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.10.2	The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the Department of Transportation, California RWQCB, the local fire departments, and the local environmental health department. Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable federal, state, and/or local regulatory agency protocols. In addition, all precautions required by the RWQCB issued NPDES construction activity stormwater permits would be taken to ensure that no hazardous materials enter any nearby waterways. In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.	City of Turlock Public Works Director or designee	City of Turlock in coordination with the County of Stanislaus, RWQCB, DOT, and TID	Verification of inclusion within contract wording	Construction plans	
3.10.3	Implement Mitigation Measure 3.8.3a.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.11 AESTHETICS AND RECREATION					
3.11.2 The City will install security lighting with directional shields to concentrate lighting toward the site. The night time security and associated parking lighting fixtures will be equipped with directional shields that aim light downward and away from adjacent residential properties. In addition, the placement of lighting fixtures would be selected to concentrate light on-site to avoid spillover onto adjacent residential properties.	City of Turlock Public Works Director or designee	City of Turlock	Verification of inclusion within contract wording	Construction plans	

Acronyms:

CDFG	California Department of Fish and Game
DOT	California Department of Transportation
DTSC	California Department of Toxic Substance Control
RWQCB	Regional Water Quality Control Board (Region 5)
SWPPP	Stormwater Pollution Prevention Plan
TID	Turlock Irrigation District

APPENDIX H

HARDING DRAIN FLOW DATA

Harding Drain Monthly Flows by Source

Year	Month	Precipitation	Climatic Condition (Normal, Wet, or Dry)	City of Turlock Wastewater Discharge into Harding Drain	Lateral 4 Spill into Harding Drain	Lateral 4.5 Spill into Harding Drain	Lateral 5 Spill into Harding Drain	Lateral 5.5 Spill into Harding Drain	Lower Lateral 5.5 Spill into Harding Drain	Total Discharge into Harding Drain from All Sources	Total Discharge into Harding Drain from TID Laterals
1990	1	2.19	N	704	35	0	15	131	0	884	180
1990	2	1.64	N	704	72	0	11	208	0	996	292
1990	3	1.2	D	704	37	5	86	9	9	850	146
1990	4	0.29	D	677	111	32	539	41	40	1440	763
1990	5	1.99	W	641	120	14	605	67	67	1514	873
1990	6	0	D	524	115	7	822	106	106	1680	1156
1990	7	0	D	479	154	7	620	263	263	1786	1307
1990	8	0	D	479	137	5	612	145	145	1523	1044
1990	9	0	D	569	80	6	446	64	64	1229	660
1990	10	0.11	D	659	40	2	270	10	10	991	332
1990	11	0.22	D	704	171	60	24	1002	0	1961	1258
1990	12	0.7	D	704	277	0	34	567	0	1582	878
1991	1	0.17	D	727	12	5	35	485	0	1265	538
1991	2	2.06	N	727	78	0	79	384	0	1268	541
1991	3	4.59	W	727	225	5	20	579	0	1558	831
1991	4	0.48	D	700	163	11	444	168	112	1598	898
1991	5	0.03	D	664	85	11	564	67	154	1545	881
1991	6	0.31	W	547	144	21	573	34	199	1518	971
1991	7	0	D	502	108	26	475	23	86	1220	718
1991	8	0.01	D	502	155	38	370	45	162	1272	770
1991	9	0	D	592	99	25	556	128	157	1557	965
1991	10	1.16	W	682	111	97	709	158	188	1945	1263
1991	11	0.26	D	727	34	0	152	707	0	1619	892
1991	12	1.21	N	727	277	0	34	567	0	1605	878
1992	1	1.12	D	751	0	0	6	40	0	796	46
1992	2	5.56	W	751	0	0	40	32	0	823	72
1992	3	1.97	N	751	51	0	18	155	0	975	224
1992	4	0.02	D	724	35	40	238	14	67	1118	394
1992	5	0	D	688	104	53	375	38	164	1422	734
1992	6	0.08	N	571	93	18	647	40	294	1663	1092

Harding Drain Monthly Flows by Source

Year	Month	Precipitation	Climatic Condition (Normal, Wet, or Dry)	City of Turlock Wastewater Discharge into Harding Drain	Lateral 4 Spill into Harding Drain	Lateral 4.5 Spill into Harding Drain	Lateral 5 Spill into Harding Drain	Lateral 5.5 Spill into Harding Drain	Lower Lateral 5.5 Spill into Harding Drain	Total Discharge into Harding Drain from All Sources	Total Discharge into Harding Drain from TID Laterals
1992	7	0.05	W	526	90	14	611	58	133	1432	906
1992	8	0	D	526	154	54	487	32	198	1451	925
1992	9	0	D	616	82	72	384	21	136	1311	695
1992	10	0.54	N	706	62	7	257	686	36	1754	1048
1992	11	0.1	D	751	7	0	14	90	0	862	111
1992	12	2.87	W	751	0	1	8	98	0	858	107
1993	1	5.33	W	774	279	3	60	75	0	1191	417
1993	2	3.32	W	774	670	86	171	532	0	2233	1459
1993	3	2.72	W	774	583	147	1685	1037	31	4257	3483
1993	4	0.2	D	747	305	79	1332	652	240	3355	2608
1993	5	0.97	W	711	189	181	1083	156	219	2539	1828
1993	6	0.29	W	594	489	132	1461	176	377	3229	2635
1993	7	0	D	549	464	145	1469	169	259	3055	2506
1993	8	0	D	549	351	175	1915	150	272	3412	2863
1993	9	0	D	639	503	276	2121	78	286	3903	3264
1993	10	0.37	N	729	472	186	1401	64	381	3233	2504
1993	11	0.83	D	774	178	58	579	1347	0	2935	2161
1993	12	1.1	D	774	424	0	6	559	0	1763	989
1994	1	2.15	N	797	52	0	5	363	0	1218	420
1994	2	2.11	N	797	103	0	77	628	0	1605	807
1994	3	0.39	D	797	146	27	714	142	26	1852	1055
1994	4	1.28	N	770	70	150	1737	134	176	3037	2267
1994	5	1.15	W	734	266	104	1267	180	173	2724	1990
1994	6	0	D	617	147	60	890	80	115	1909	1292
1994	7	0	D	572	302	81	1237	56	197	2445	1873
1994	8	0	D	572	234	75	1243	79	150	2353	1781
1994	9	0.01	D	662	272	97	1542	56	177	2806	2144
1994	10	0.16	D	752	350	81	483	168	218	2052	1300
1994	11	1.56	N	797	147	5	90	146	0	1185	387
1994	12	0.88	D	797	48	0	39	467	0	1351	554
1995	1	7.22	W	807	229	13	151	1071	0	2270	1463
1995	2	0.65	D	807	460	245	1333	988	0	3833	3026

Harding Drain Monthly Flows by Source

Year	Month	Precipitation	Climatic Condition (Normal, Wet, or Dry)	City of Turlock Wastewater Discharge into Harding Drain	Lateral 4 Spill into Harding Drain	Lateral 4.5 Spill into Harding Drain	Lateral 5 Spill into Harding Drain	Lateral 5.5 Spill into Harding Drain	Lower Lateral 5.5 Spill into Harding Drain	Total Discharge into Harding Drain from All Sources	Total Discharge into Harding Drain from TID Laterals
1995	3	6.46	W	807	423	315	1154	1335	0	4034	3227
1995	4	1.32	N	780	353	223	1514	255	319	3444	2664
1995	5	1.52	W	744	376	199	1180	233	364	3096	2352
1995	6	0.16	W	627	570	237	1416	236	370	3456	2829
1995	7	0	D	582	571	229	1398	354	332	3466	2884
1995	8	0	D	582	457	231	1540	219	424	3453	2871
1995	9	0	D	672	506	251	2171	255	393	4248	3576
1995	10	0	D	762	480	252	2062	227	367	4150	3388
1995	11	0	D	807	201	249	1522	1698	0	4477	3670
1995	12	4.03	W	807	460	78	244	1505	0	3095	2288
1996	1	3.15	N	817	710	78	86	47	0	1738	921
1996	2	3.54	W	817	876	160	163	719	0	2734	1917
1996	3	1.06	D	817	34	340	80	75	15	1361	544
1996	4	0.99	N	790	861	308	1799	391	356	4505	3715
1996	5	1.69	W	754	643	197	2698	495	224	5011	4257
1996	6	0.02	D	637	745	522	2118	715	452	5189	4552
1996	7	0	D	592	716	355	1611	507	452	4233	3641
1996	8	0	D	592	657	390	1945	550	372	4506	3914
1996	9	0	D	682	1063	433	1512	501	470	4661	3979
1996	10	1.65	W	772	817	54	1618	520	834	4615	3843
1996	11	1.88	N	817	434	298	637	1479	0	3665	2848
1996	12	4.87	W	817	0	0	6	37	0	860	43
1997	1	5.68	W	826	423	146	1184	491	0	3071	2245
1997	2	0.18	D	826	870	0	1803	1388	0	4888	4061
1997	3	0.09	D	826	713	236	1713	177	294	3960	3133
1997	4	0.3	D	799	608	130	2097	224	442	4300	3501
1997	5	0.04	D	763	749	182	2349	235	166	4444	3681
1997	6	0.09	W	646	694	139	1611	119	193	3402	2756
1997	7	0	D	601	443	121	1646	327	241	3379	2778
1997	8	0	D	601	515	167	1629	194	261	3367	2766
1997	9	0.01	D	691	542	162	2170	209	211	3985	3294
1997	10	0.08	D	781	745	119	1693	200	834	4372	3591

Harding Drain Monthly Flows by Source

Year	Month	Precipitation	Climatic Condition (Normal, Wet, or Dry)	City of Turlock Wastewater Discharge into Harding Drain	Lateral 4 Spill into Harding Drain	Lateral 4.5 Spill into Harding Drain	Lateral 5 Spill into Harding Drain	Lateral 5.5 Spill into Harding Drain	Lower Lateral 5.5 Spill into Harding Drain	Total Discharge into Harding Drain from All Sources	Total Discharge into Harding Drain from TID Laterals
1997	11	2.78	W	826	339	241	544	321	0	2272	1445
1997	12	1.91	N	826	704	84	792	504	0	2911	2084
1998	1	4.03	W	836	148	41	744	463	0	2232	1396
1998	2	8.47	W	836	2133	158	2301	471	0	5899	5063
1998	3	2.07	N	836	2373	290	2554	574	0	6627	5791
1998	4	1.33	N	809	921	217	2540	791	466	5744	4935
1998	5	2.65	W	773	1878	84	1478	654	524	5391	4618
1998	6	0.2	W	656	554	134	1516	302	298	3460	2804
1998	7	0	D	611	862	140	1659	235	298	3805	3194
1998	8	0	D	611	991	133	1643	306	216	3900	3289
1998	9	0.01	D	701	831	128	2078	270	293	4301	3600
1998	10	1.12	W	791	890	425	3061	337	362	5866	5075
1998	11	1.26	N	836	63	0	166	25	0	1090	254
1998	12	0.85	D	836	200	11	0	98	0	1145	309
1999	1	2.54	N	854	69	95	94	134	0	1246	392
1999	2	2.39	N	854	179	0	285	380	0	1698	844
1999	3	1.07	D	854	171	67	270	9	110	1481	627
1999	4	0.74	N	827	327	173	615	18	445	2405	1578
1999	5	0.2	D	791	397	131	1793	169	524	3805	3014
1999	6	0	D	674	579	124	2053	276	297	4003	3329
1999	7	0	D	629	610	80	1723	226	246	3514	2885
1999	8	0	D	629	739	167	668	273	322	2798	2169
1999	9	0	D	719	924	122	1366	210	278	3619	2900
1999	10	0	D	809	796	322	2273	148	363	4711	3902
1999	11	0.94	D	854	787	45	2342	226	54	4308	3454
1999	12	0.21	D	854	96	11	273	79	0	1314	459
2000	1	3.3	N	895	397	94	705	108	0	2199	1304
2000	2	4.88	W	895	339	0	108	63	0	1405	510
2000	3	0.72	D	895	418	24	849	399	18	2603	1708
2000	4	1.52	W	868	773	212	2661	373	400	5287	4419
2000	5	0.72	W	832	664	155	2235	536	336	4758	3926
2000	6	0.09	W	715	631	128	2425	215	201	4315	3600

Harding Drain Monthly Flows by Source

Year	Month	Precipitation	Climatic Condition (Normal, Wet, or Dry)	City of Turlock Wastewater Discharge into Harding Drain	Lateral 4 Spill into Harding Drain	Lateral 4.5 Spill into Harding Drain	Lateral 5 Spill into Harding Drain	Lateral 5.5 Spill into Harding Drain	Lower Lateral 5.5 Spill into Harding Drain	Total Discharge into Harding Drain from All Sources	Total Discharge into Harding Drain from TID Laterals
2000	7	0	D	670	628	94	2133	163	157	3845	3175
2000	8	0.21	W	670	560	77	2043	119	142	3611	2941
2000	9	0.01	D	760	458	99	2140	28	102	3587	2827
2000	10	2.23	W	850	646	50	1895	1372	0	4813	3963
2000	11	0.24	D	895	78	133	587	214	0	1907	1012
2000	12	0.36	D	895	358	94	76	90	0	1513	618
2001	1	3.95	W	939	458	0	46	27	0	1470	531
2001	2	2.58	N	939	111	0	155	64	0	1269	330
2001	3	2	N	939	437	8	1113	249	0	2746	1807
2001	4	1.43	N	912	491	25	2613	433	368	4842	3930
2001	5	0	D	876	649	34	2450	391	437	4837	3961
2001	6	0.01	D	759	553	27	1316	288	315	3258	2499
2001	7	0.07	W	714	622	162	1514	404	178	3594	2880
2001	8	0	D	714	541	191	1543	113	248	3350	2636
2001	9	0.23	N	804	233	148	1681	80	219	3165	2361
2001	10	0.09	D	894	278	122	1322	279	291	3186	2292
2001	11	1.87	N	939	114	116	197	728	0	2094	1155
2001	12	3.92	W	939	212	0	19	209	0	1379	440
2002	1	1.57	D	936	372	15	308	622	0	2252	1317
2002	2	0.81	D	936	373	72	313	571	0	2264	1328
2002	3	1.32	N	936	242	56	1120	429	142	2925	1989
2002	4	0.03	D	909	246	26	1468	263	180	3092	2183
2002	5	0.08	D	873	253	97	1432	180	204	3039	2166
2002	6	0	D	756	340	77	1071	119	230	2593	1837
2002	7	0	D	711	307	69	1033	194	231	2545	1834
2002	8	0	D	711	286	54	1269	194	314	2828	2117
2002	9	0	D	801	240	55	720	336	254	2406	1605
2002	10	0	D	891	228	49	1399	83	306	2956	2065
2002	11	2.24	W	936	206	0	191	26	20	1379	443
2002	12	3.61	W	936	422	15	67	2	0	1442	506

Filing Requested By:

City of Turlock
Planning Division
156 S. Broadway, Suite 120
Turlock, CA 95380-5454

When Filed Mail To:
Same as above

FILED
05 MAY 26 PM 3:55
STANISLAUS CO. CLERK-RECORDER
BY Harjeet Kumar

SPACE ABOVE THIS LINE FOR CLERK'S USE ONLY

May 26, 2005

Notice of Determination

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Stanislaus County Clerk
1021 "I" Street, Ste 101
Modesto, CA 95354

From: City of Turlock
156 South Broadway, Ste 120
Turlock, CA 95380

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code and 14 Cal. Code Regs. § 15094.

Project Title: City of Turlock - Harding Drain Bypass Project

State Clearinghouse Number: 2003062002

Lead Agency Contact Person: Michael I. Cooke, AICP, Planning Manager

Telephone Number: (209) 668-5542 ext 2218

Project Location (*include county*) Located at the City's existing outfall at the Harding Drain in Stanislaus County at the intersection of Harding Road and Prairie Flower Road to the eastern banks of the San Joaquin River (Stanislaus County).

Project Description: The City is proposing the construction of a new force main and outfall from the City's existing outfall at the Harding Drain located at the intersection of Harding Road and Prairie Flower Road to the eastern bank of the San Joaquin River. Other facilities associated with the force main, will

include a pump station, post-aeration structure, submerged outfall and gravity line connecting the post-aeration structure to the outfall.

DETERMINATION: This is to advise that the City of Turlock, as lead agency, has approved the above described project on May 24, 2005 and has made the following determinations regarding the above described project.

1. The project **will not** have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures **were** made a condition of the approval of the project, and a Mitigation Monitoring and Reporting Plan was adopted.
4. Findings were made pursuant to 14 Cal. Code Regs. § 15091.
5. A statement of Overriding Considerations **was not** adopted for this project.

This is to certify that documentation for the Final Environmental Impact Report with comments and responses and record of project approval may be examined at:

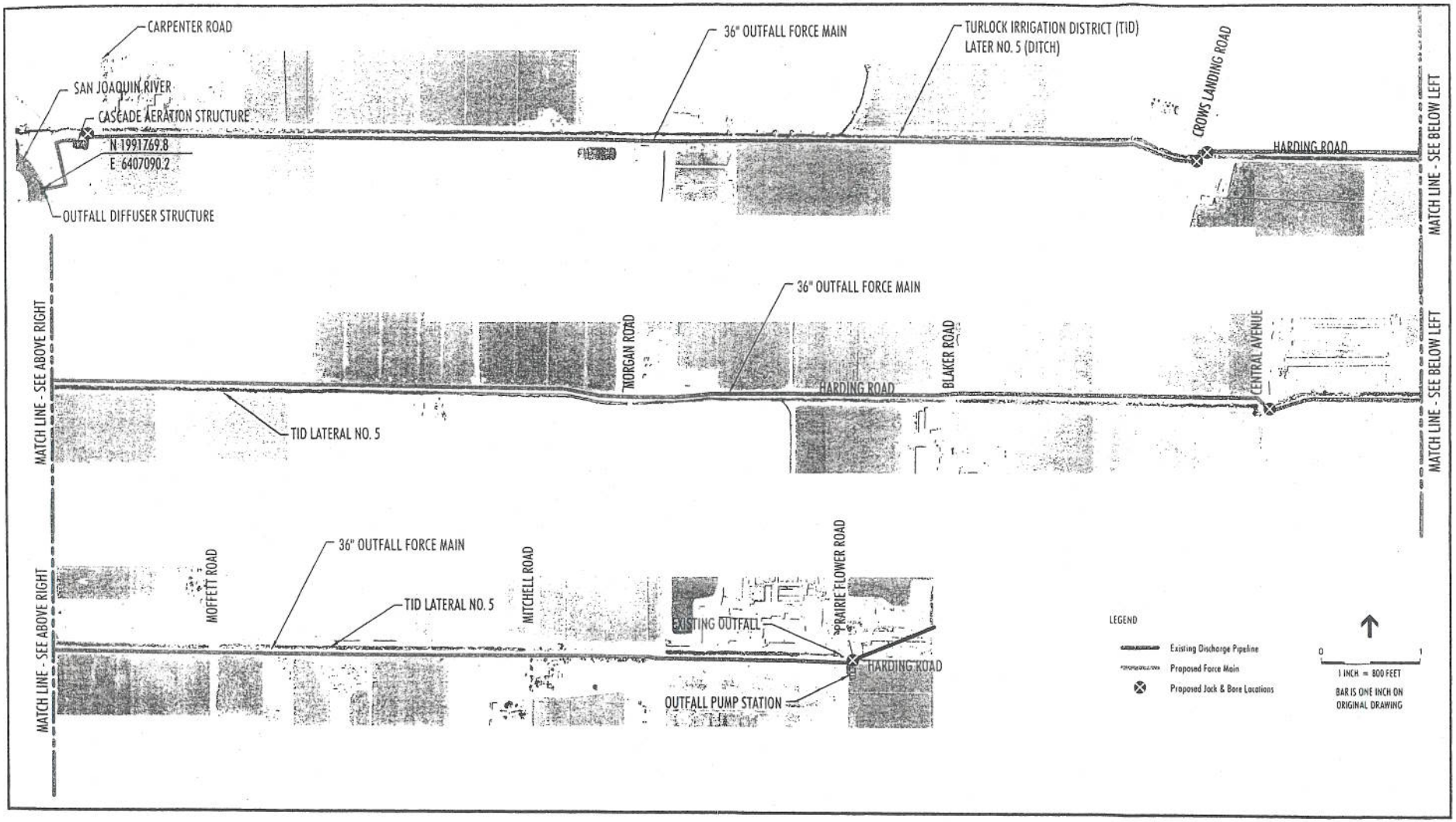
City of Turlock - Planning Division
City Hall, 156 S. Broadway, Suite 120
Turlock, CA 95380-5454
Tel: (209) 668-5640

BY: _____
MICHAEL I. COOKE, AICP
Planning Manager
Environmental Review

Date Received for Filing _____

_____
Signature

_____
Title



SOURCE: Carollo Engineers and Environmental Science Associates, 2004

Figure 2-2
Proposed Project Alignment

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF ADOPTING AND CERTIFYING THE FINAL EIR FOR THE HARDING DRAIN BYPASS PROJECT, MAKING CERTAIN FINDINGS RELATED THERETO, APPROVING THE MITIGATION MONITORING PLAN, APPROVING THE PROJECT AND AUTHORIZING THE FILING OF THE NOTICE OF DETERMINATION

RESOLUTION NO. 2005-097

WHEREAS, the City of Turlock (the "City") has proposed the construction and operation of a wastewater effluent conveyance pipeline and outfall to bypass the Harding Drain and discharge of up to 20 million gallons per day (MGD) of disinfected, tertiary-treated effluent directly into the San Joaquin River, which will herein be referred to as the "Project or Proposed Project";

WHEREAS, the purpose for the Project is to eliminate the discharge of the City's treated wastewater to the Harding Drain, a constructed agricultural irrigation drain owned, operated and maintained by TID, to reduce or eliminate regulatory constraints with respect to future waste discharge requirements issued to the City by the Regional Board,

WHEREAS, the City Council (the "Council") directed a consultant to review the alignment of a proposed wastewater conveyance pipeline to be constructed along approximately 5.6 miles of County and City road rights-of-way within unincorporated portions of Stanislaus County;

WHEREAS, during the ensuing months, public comments were received regarding the proposed alignment;

WHEREAS, two scoping sessions were held at the Turlock City Hall on June 25, 2003 to solicit verbal comments on the project from interested parties;

WHEREAS, a Draft Environmental Impact Report (the "Draft EIR") was completed in July 2004, and a 45 public review period was commenced;

WHEREAS, the City received both written and oral comments on the Draft EIR during the public review period, which concluded on September 2, 2004, from private individuals and from private and public entities, and such comments have been inserted into and responded to in the Final Environmental Impact Report (the "Final EIR") heretofore presented to the Council;

WHEREAS, the Final EIR consists of the Draft EIR, all written and oral comments received in regard to the Draft EIR during the public review period, all responses prepared to the written and oral comments, text revisions to the Draft EIR, text changes and any revisions to the Final EIR and the Addendum documents which are incorporated herein by reference as if fully set forth in accordance with the provisions of the California Environmental Quality Act set forth at Public Resources Code section 21000, *et seq.* ("CEQA" or the "ACT"); and

WHEREAS, the Council now determines it appropriate to certify the Final EIR, to make approvals, the findings and other statements provided for herein, to approve the Project and to authorize City staff to take certain additional actions, including the acquisition of required easements for the purpose of locating the Proposed Project and to prepare and file a Notice of Determination.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby determine and order as follows:

I. SECTION 1: Recitals

The above recitals are true and correct, and the City hereby so finds.

II. SECTION 2: Findings Related to Prior Proceedings

A. The Notice of Preparation for the Draft EIR was duly prepared, noticed and properly circulated in accordance with the provisions of the Act.

B. The Draft EIR was duly prepared, properly circulated and completed in accordance with the provisions of the Act.

C. After providing adequate public notice, the Draft EIR was duly circulated in accordance with the provisions of the Act, and public hearings which were properly noticed were conducted by the City in compliance with the provisions of the Act.

D. All comments received during the period of public review have been duly considered and incorporated into the Final EIR, and when necessary, replied to all in accordance with the provisions of the Act.

E. The City provided written responses to all public agency comments received on the Draft EIR at least ten days before certification of the Final EIR pursuant to the provisions of the Act.

F. A good faith effort has been made to incorporate alternatives into the Final EIR, and all reasonable alternatives were considered in the review process under the provisions of the Act relating to the decisions and recommendations as described in this Resolution.

G. The Final EIR for the Proposed Project has been properly completed and has identified all significant environmental effects of the Proposed Project, and there are no known potential environmental effects that are not addressed in the Final EIR.

H. A good faith effort has been made to seek out and incorporate all points of view in the preparation of the Draft EIR and the Final EIR.

I. The Proposed Project has been modified with mitigation measures to eliminate significant impacts or to reduce such impacts to a level of insignificance in all instances.

J. The City has utilized its own independent judgment in adopting this Resolution and in approving the Final EIR.

III. SECTION 3: Specific Findings and Mitigation Plans for the Project

Findings of fact related to the Project, including all alternatives discussed in the Final EIR, facts in support of each finding, and descriptions of methods to mitigate to insignificant levels certain significant effects identified in the Final EIR are set forth in Exhibit "A", entitled "CEQA FINDINGS OF FACT REGARDING CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HARDING DRAIN BYPASS PROJECT CLEARINGHOUSE NO. 2003062002," incorporated herein by reference and hereafter referred to as "Finding of Fact" or "Exhibit A."

The Findings of Fact identifies significant environmental effects related to the Project which can be mitigated by implementing the mitigation strategies described in the findings set forth following the description of each such effect in Exhibit A.

A. The Council hereby approves and adopts the Findings of Fact attached hereto as Exhibit A.

B. The Council finds that the mitigation measures as identified in the Final EIR and described in Exhibit A hereto are feasible and will reduce to less-than-significant levels the significant environmental impacts identified in Exhibit A and the Final EIR. The Council hereby approves the mitigation measures that are identified in the Final EIR for the Project and described in Exhibit A and directs their implementation on an ongoing basis during the course of the acquisition of the necessary easements for the Project and the construction of the pipeline described in the Final EIR and comprising the Project.

C. The Council finds that the Project alternatives set forth in the Final EIR, including the No Project Alternative, have been fully analyzed and concludes that the No Project Alternative is not acceptable for the reasons set forth in Exhibit A.

D. A Mitigation Monitoring and Reporting Plan for implementation of the mitigation strategies is set forth in Exhibit B, entitled "Mitigation Monitoring and

Reporting Plan," incorporated herein by reference and hereinafter referred to as "MMRP or Plan" or "Exhibit B." The Council hereby approves and adopts the MMRP set forth in Exhibit B and directs that such Plan be implemented in the course of acquisition of the necessary easements for the location of the pipeline described in the Final EIR as the Project.

IV. SECTION 4: Certification of the Final EIR and Approval of the Project

A. The Council hereby approves the Final EIR and certifies that the Final EIR has been completed in compliance with the Act.

B. The Council further certifies that the Final EIR was presented to the Council as the lead agency for the Project as defined therein, and that the Council reviewed and considered the information contained in the Final EIR prior to making this approval and has utilized its independent judgment in the course of reviewing the Final EIR.

C. The Council further authorizes City staff to prepare and file a Notice of Determination within five working days following the date of adoption of this Resolution with the County Clerk of the County of Stanislaus and with the State of California and directs that copies of the Final EIR be retained at the administrative offices of the City for review.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 24th day of May, 2005, by the following vote:

AYES:	Councilmembers Hatcher, Lazar, Vander Weide, Wallen and Mayor Andre
NOES:	None
ABSTAIN:	None
NOT PARTICIPATING:	None
ABSENT:	None

ATTEST:

Rhonda Greenlee

Rhonda Greenlee, CMC
City Clerk, City of Turlock, County of Stanislaus, State of California

EXHIBIT A

CITY OF TURLOCK

CEQA FINDINGS REGARDING CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HARDING DRAIN BYPASS PROJECT STATE CLEARINGHOUSE NO. 2003062002

I. BACKGROUND

The California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (the "Guidelines") provide as follows:

> No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding.

The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

The primary objective of the Project is to eliminate the discharge of the City's treated wastewater to the Harding Drain, a constructed agricultural irrigation drain owned, operated and maintained by TID. Changing the point of discharge from Harding Drain to a direct discharge to the San Joaquin River will serve at least two beneficial purposes. This action will relieve the City of any need to coordinate with TID regarding management of flows in the Drain, and allow TID to efficiently operate and maintain its system. Additionally, changing the point of discharge from a low-flow, constructed agricultural irrigation drain system may reduce or eliminate regulatory constraints with respect to future waste discharge requirements issued to the City by the Regional

Board, while allowing TID and agricultural operations that runoff or discharge to Harding Drain to separately monitor and manage water quality associated with agricultural activities, which are subject to separate regulatory requirements.

The current and future need for removing wastewater effluent from the Harding Drain in favor of direct discharge to the San Joaquin River is, therefore, crucial.

II. GENERAL FINDINGS

The Council makes the following general findings and determinations, which shall be generally applicable to this Project and to all findings and determinations contained herein.

A. In addition to the specific findings contained herein, the Council hereby incorporates by reference the applicable portions of the staff reports and studies, oral and written evidence submitted into the record, the Final EIR, items if common knowledge and the resolutions related to the Project as findings.

B. The Council intends that the findings and determinations contained herein be considered as an integrated whole and, whether or not any subdivisions of these findings and determinations fails to cross-reference or incorporate by reference any other subdivision of these findings and determinations, that any finding and/or determination required or permitted to be made by this Council with respect to the Project shall be deemed made if it appears in any portion of these findings and determinations. All of the foregoing constitute findings and determinations by this Council, whether or not any particular sentence or clause so states.

C. The Council adopts the specific project conditions, coordination with providers, recommendations and other items contained in the Final EIR which the implementation thereof will reduce the impacts to less than significant.

D. Consultation with the County of Stanislaus and others has resulted in a determination that the proposed alignment for the Project does not cross a site of a current or former hazardous waste disposal or solid waste disposal site, is not hazardous substance release site identified by the State Department of Health Services in a current list adopted pursuant to Section 25356 for removal or remedial action pursuant to Chapter 6.8 (commencing with Section 25300 of Division 20 of the Health and Safety Code and is not a site which contains one or more pipelines, situated under ground or above ground, which carry hazardous substances under ground or above ground, which carry hazardous substances, acutely hazardous materials, or hazardous wastes unless the pipeline is a natural gas line used to supply natural gas to the neighborhood.

E. Each and all of the findings and determinations contained herein are based upon competent and substantial evidence, both oral and written, contained in the entire administrative record relating to the Project, including without limitation, that evidence presented in hearings on the Project before the Council.

F. The documents and other materials that constitute the record of proceedings on which the Council's findings are based are located with the custodian, the Department of Municipal Utilities Director at the City of Turlock Administrative Offices, 156 South Broadway, Suite 270, Turlock, CA 95380. This information is provided in compliance with Public Resources Code § 21081.6 and Title 14 of the California Code of Regulations § 15091.

III. PROPOSED PROJECT AND ALTERNATIVES

Proposed Project

1. Description. The proposed pipeline will consist of a force main that extends from the terminus of the current outfall to the San Joaquin River and covers a distance of approximately 5.6 miles in length [or: 29,500 feet]. The diameter of the pipeline will be 36 inches to meet the design criteria for a peak flow of 35 mgd. Access manholes or buried blind flanged tees will be provided every ¼ to ½ mile for maintenance and inspection purposes. Trench depths will average between six and seven feet below the ground surface with the top of the pipe averaging approximately three feet below grade. After construction is complete, the pipeline would be within TID or County ROW except for areas west of Carpenter Road where a 15-foot permanent easement would be acquired for the force main. Other facilities associated with the force main will include a pump station, post-aeration structure, submerged outfall and gravity line connecting the post-aeration structure to the outfall.

2. Findings. Adverse environmental and/or other conditions are identified in the Final EIR and are incorporated herein by reference. The Council finds that the preferred-project alignment would involve the least amount of environmental impact to the surrounding community and, therefore, it is the City's intent to implement to the Proposed Project, as described in Chapter 2.0 of the Draft EIR.

No Project Alternative

1. Description. Under the No Project Alternative, the City would not construct the proposed pipeline.

2. Findings. Although the No Project Alternative would avoid the direct environmental effects of the Proposed Project, in terms of temporary land use conflicts, construction and operation related noise, potential erosion, adverse affects to local air quality, and conversion of 1-acre of prime agricultural land. Wastewater flows would continue to be discharged into the Harding Drain at the current rate of approximately 12 mgd and up to the rated capacity of the Drain and WWTP of 20 mgd in the future. Under the No Project Alterntive, drainage capacity within the Harding Drain would continue to be stressed during wet weather flows and the City would continue to be the only permitted entity covered under existing WDRs within the Harding Drain.

Alternative 1

1. Description. Under Alternative 1, the project alignment would begin at the intersection of the Harding Drain and South Prairie Flower Road and traverse south along Prairie Flower Road to the intersection of Bradbury Road. At Bradbury Road, the alignment would traverse west to the intersection of Bradbury and Crows Landing Roads. From this point onward, Bradbury Road turns into a privately owned dirt road that continues to parallel TID Lateral No. 5 ½. The alignment continues west through privately owned land, crossing Carpenter Road, and eventually to eastern levee of the San Joaquin River where the outfall would be constructed. Unlike the proposed project, the pipeline under this alternative would be gravity feed with no pump station required at the intersection of Prairie Flower and Harding Road. The aeration structure and associated outfall would be similar in design as to the proposed project.

2. Findings. Adverse environmental and/or other conditions are identified in the Final EIR and are incorporated herein by reference. The Council finds that the alignment under this alternative does not result in any significant reduction in adverse environmental effects identified for the Proposed Project and, in specific instances, would result in greater impacts than those of the Proposed Project. Based on the foregoing, the City will not pursue this alternative.

Alternative 2

1. Description. Under Alternative, the pipeline would originate at the current discharge location, just north of the Harding Drain at Prairie Flower Road and travel south along the Prairie Flower Road ROW for approximately 1,600 feet. At this point, the alignment would travel due west through mainly irrigated pasture, dairy feeds lots, and rural residential lots. At the TID Lateral No. 5 ½, the alignment travels northwest along the northern side of the canal. After diverging away from TID's Lateral 5 ½, the pipeline would travel west crossing Crows Landing Road, Carpenter Road and the eastern San Joaquin River levee.

Structural components and construction methods would be similar under this alternative as compared to the Proposed Project, except that pipeline would be gravity-fed. As such, a pump station would not be required at the intersection of Prairie Flower and Harding Road. The location of the outfall system would be selected to provide effective mixing of the plant effluent with the San Joaquin River water. The river outfall system would also include a post aeration system, and an outfall diffuser system, similar to the proposed project.

2 Findings. Adverse environmental and/or other conditions are identified in the Final EIR and are incorporated herein by reference. The Council finds that the alignment under this alternative does not result in any significant reduction in adverse environmental effects identified for the Proposed Project and, in certain instances, would result in greater impacts than those associated with the Proposed Project. Based on the foregoing, the City will not pursue this alternative.

IV. FINDINGS AND FACTS IN SUPPORT OF THE POTENTIALLY SIGNIFICANT IMPACTS WHICH HAVE BEEN REDUCED TO A LESS THAN SIGNIFICANT LEVEL

The Environmental Impact Report (EIR) identified the following potential significant impacts, which could result from the implementation of the Proposed Project, all of which have been reduced to a less than significant level through the implementation of the prescribed mitigation measures. The Council makes the following findings for which there is substantial evidence in the record:

A. Water Resources

1. Impact – Water Quality. During site grading, trenching, and construction activities, large areas of bare soil would be exposed to erosive forces for long periods of time. Bare soils are much more likely to erode than vegetated areas due to the lack of dispersion, infiltration, and retention created by covering vegetation. Construction activities involving soil disturbance, excavation, cutting/filling, stockpiling, dewatering and grading activities could result in increased erosion and sedimentation to surface waters. If precautions are not taken to contain contaminants, construction could produce contaminated stormwater runoff (nonpoint source pollution), a major contributor to the degradation of water quality. In addition, hazardous materials associated with construction equipment could adversely affect surface and groundwater quality if spilled or stored improperly. Without mitigation, construction of the Proposed Project could result in potentially significant impacts.

During construction of the Proposed Project, dewatering operations would be used during the installation of the outfall and the various jack and bore locations indicated in Figure 3-1.2. The pumping may result in increased turbidity, but will be closely monitored to ensure that there is no degradation of stream water quality and that no water quality objective or standard will be exceeded. It is the City's intent that surface and/or groundwater extracted during dewatering operations be conducted in accordance with RWQCB General Order No. 5-00-175 for NPDES General Permit No. CA G995001. This General Order and NPDES permit covers waste discharge requirements for dewatering and other low thereat discharges to surface water. The discharge from the dewatering operations will be evaluated and made part of the project SWPPP and be used to obtain RWQCB approval for all storm water and construction related activities.

Findings. To minimize the exposure of sediments to runoff, the City would implement measures contained in the Construction Contractor's Guide and Specification of the Caltrans Storm Water Quality Handbook (The Handbook; April 1997) and the SWRCB Water Quality Order 99-08-DWQ, NPDES, General Permit for Stormwater Discharge Associated with Construction Activity.

All construction plans and activities shall implement multiple BMPs to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is

economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but are not limited to, the following measures:

- Temporary erosion control measures (such as silt fences, staked straw bales/ wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be employed for disturbed areas.

- Dirt and debris shall be swept from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events.

- Grass or other vegetative cover will be established on the construction site as soon as possible after disturbance. At minimum, vegetative application shall be done by September 15th to allow for plant establishment. No disturbed surfaces will be left without erosion control measures in place during the period of October 15th to April 15th.

- Silt fences and catch basins will be placed below all construction activities at the edge of the river to intercept sediment before it reaches the river. These structures will be installed prior to any clearing or grading activities.

- Spoil sites will be located such that they do not drain directly into the San Joaquin River or TID Laterals, if possible. If a spoil site drains into the river or local drains, catch basins will be constructed to intercept sediment before it reaches the river. Spoil sites will be graded to reduce the potential for erosion.

Final selection and design of erosion and sediment controls should include the use of multiple BMPs to protect water quality. BMPs proposed by the City's contractor shall be subject to approval by the City, and the City shall require that all parties performing construction under the Proposed Project incorporate into contract specifications the requirement that the contractor(s) comply with and implement these provisions. The contractor shall also include provisions for monitoring during and after construction activities to verify that these standards are met.

B. Biological Resources.

2. Impact – Endangered, Rare, and/or Threatened Species. The Proposed Project may have significant adverse impacts, either directly or through habitat modifications, to terrestrial and aquatic endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12). Special status species potentially affected by the Proposed Project include Swainson's Hawk and Giant Garter Snake.

Findings. The following mitigation is required for Giant Garter Snake (GGS): (1) a survey for GGS will be conducted by a qualified biologist within 24 hours prior to the start of construction, and if GGS are present and there is a reasonable likelihood that construction will adversely impact GGS, the City and its construction contractor will adhere to the appropriate terms and conditions of the Programmatic Biological Opinion issued to the ACOE by the USFWS for giant garter snake (dated Nov. 13, 1997); (2) Prior to construction, all construction workers shall take part in a Service-approved worker environmental awareness program given by a Service-approved biologist; and (3) The construction easement for the proposed crossings shall be fenced using temporary fencing to reduce the possibility of incidentally impacting giant garter snake habitat outside of the construction area.

The following mitigation measures are required for Swainson's Hawk: (1) If construction activities occur between April 1st and August 31st, a survey for active Swainson's hawk nests shall be conducted along the proposed alignment according to the CDFG's Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California by a qualified wildlife biologist. The survey shall be limited to trees within 500 feet of the proposed alignment; and (2) If active nests are detected and potential impacts are identified, measures that will avoid or mitigate impacts will be implemented. Avoidance measures may include, but are not limited to, establishing buffer zones around nests and retaining a qualified wildlife biologist to monitor active nests during construction. Impact – Special-Status Species. Based on the habitats present in the project area, several special-status bird species may be impacted by the Proposed Project including Western Burrowing Owl, Ferruginous Hawk, Northern Harrier, and White-Tailed Kite.

2. Impact - Construction of the outfall along the eastern bank of the San Joaquin River could result in potentially significant adverse impacts to native fisheries. Construction of the proposed outfall along the San Joaquin River may contribute to sedimentation within the San Joaquin River potentially impacting native fisheries by interfering with feedings, reductions in primary or secondary production, or by reducing the survival of eggs and alevins.

Findings. Construction activities along the banks of and within the San Joaquin River will, to the extent feasible, be limited to the period between June 1st and August 31st, the period during which impacts to native fisheries are not likely to occur.

3. Impact - Based on the habitats present in the Project area, several special-status species may be impacted by the Proposed Project.

Western Burrowing Owl. Burrowing owls may nest in burrows or debris piles found along the levees on either side of the San Joaquin River, along the unlined banks of the Harding Drain, and along disturbed grassland habitat associated with the proposed alignment. Proposed construction activities may directly affect burrowing owl nest sites, thereby reducing the viability of local populations.

Ferruginous Hawk, and White-Tailed Kite. These bird species may be temporarily impacted by the temporary removal of potential foraging habitat for these species during pipeline construction.

San Joaquin Whipsnake. The alkali grassland habitat located along the eastern edge of the San Joaquin River levee provides suitable habitat for this reptile. Trenching activities associated with the proposed San Joaquin River alignment may harass or directly take this species.

Northwestern and Southwestern Pond Turtles. Marginal habitat for northwestern and southwestern pond turtles occurs within the canals/ditches, Harding Drain and in aquatic habitat associated with the San Joaquin River. Potential impacts to this species would be similar to those described for the giant garter snake — potential for direct take or harassment due to construction activities.

Findings. Prior to construction, the proposed alignment (San Joaquin River levee, Harding Drain banks, and grassland habitat areas) shall be surveyed by qualified biologist for burrowing owls using established CDFG protocols. If burrowing owls are detected within the construction zone, mitigation that will avoid active nest sites or compensate for the loss of nest sites shall be developed in coordination with CDFG. A qualified biologist shall survey the proposed pipeline trenching and aeration facility construction site within the annual/alkali grassland habitat for the presence of San Joaquin whipsnakes. The survey shall take place no more than 24 hours prior to construction. If a snake is detected by the survey, no construction shall take place until the snake has left the construction area and CDFG shall be notified for proper guidance. The performance standard for this action is that no snake shall be harassed or taken. Implement all mitigation measures listed for giant garter snakes. Biological monitors present during canal/ditch crossing construction shall also monitor for northwestern and southwestern pond turtles on the site, and pre-construction surveys shall also target northwestern and southwestern pond turtles.

4. Impact - Based on the habitats present in the project area, several special-status plant species may be impacted by the Proposed Project. Special-status plant species found in the project area are those associated with alkaline habitats and may include Heartscale, Brittlescale, and San Joaquin spearscale. No special-status plant species were observed during ESA's site reconnaissance of the proposed alignment. However, based on soil conditions near the San Joaquin River, these plants may occur in the vicinity of the proposed alignment or aeration facility.

Findings. Prior to construction of the Proposed Project, the proposed alignment and aeration facility location west of Carpenter Road, shall be surveyed by a qualified botanist for special-status plants at the appropriate flowering period (May–July) using established CNPS protocols. If special-status plants are detected within the construction zone or the immediate vicinity, mitigation that will avoid impacts within 50' of these plants or compensate for unavoidable impacts to habitat shall be developed in coordination with CDFG. Mitigation may include protection of existing rare plant occurrences and habitats by rerouting the alignment or protecting

other alkaline wetland habitats in the area where they may occur at a 2:1 ratio using existing Mitigation Banks.

5. Impact - The Proposed Project may result in the temporary fill of "other" waters of the U.S. Potential wetland areas located along the proposed alignment and aeration facility include areas on the inboard-side of the eastern levee of the San Joaquin River.

Findings. Fill of wetland areas will be minimized wherever possible. Temporary construction fencing will be erected around the Project site to reduce the potential of incidental fill. Following pipeline construction, wetland/stream crossings shall be restored to pre-construction contours. Areas exposed due to construction shall be re-vegetated using a mix of native vegetation.

6. Impact - Removal of nesting raptors or their nests, or causing the abandonment of nests for these species due to construction activities would be considered a potentially significant impact. Implementation of the Proposed Project has the potential to cause raptor species to abandon their nests. Construction on the project site may eliminate potential nest sites. Potential nesting sites are located along the proposed alignment. In addition, potential nest sites are located along the west bank of the San Joaquin River. Although no nesting raptors were detected during field visits, foraging raptors were observed, and these visits were not formal or protocol surveys.

Findings. If construction activities occur between March 15th and September 15th (the raptor breeding season), a survey for active nests of raptors shall be conducted by a qualified wildlife biologist at the project site and within a 500 foot buffer surrounding the site. These surveys should be integrated with pre-construction surveys conducted for Swainson's Hawk.

C. Land Use and Agriculture.

1. Impact – Land Use Conflicts. Implementation of the Proposed Project would result in short-term construction impacts in the form of dust, noise, and traffic and access disruption to local residents located in close proximity to the proposed alignment. Land use along the alignment consists of mainly irrigated pasture, with scattered rural residences. In some locations, however, a higher concentration of local residences was noted during the site reconnaissance. Typical agricultural operations adjacent to the alignment include dairies, pasture, row crops, and a tallow plant. Construction activities would result in short-term, localized increases in noise and dust levels, and traffic and access disruption. These temporary nuisance effects would likely impact local residents until construction operations are completed and the original surface is restored.

Findings. The City of Turlock shall require its construction contractor to provide a minimum 2-week advance notice of the construction activities schedule to the affected community members adjacent to construction areas (e.g.,

residences, property owners, business owners, and public facility operators), including the posting of signs. The City, in cooperation with its contractor(s), shall provide a phone number and community contact for inquiries about the project's schedule throughout the construction period. This information will be posted in a local newspaper and at City Hall and will be updated on a weekly basis. The City and its contractor(s) shall coordinate with local jurisdictions and obtain all necessary permits (e.g., encroachment permit, utility excavation permit), comply with permit conditions established to minimize construction impacts, and coordinate inspections with Stanislaus County to oversee construction activities. The city will implement San Joaquin Valley Air Pollution Control District required fugitive dust control measures.

2. Implementation of the Proposed Project could result in the displacement of existing improvements during construction-related activities. Removal or relocation of material storage areas, landscaping, mailboxes, fences and walls, driveways, potable water wells and other structures located within the proposed alignment could be required during project construction. Construction could also require the removal of pasture fences and structures, and disrupt existing agricultural activities. The removal or relocation of these existing improvements is considered a potentially significant impact since it could disrupt the physical arrangement of an established community.

Findings. The City's contractor shall, as part of the right-of-way surveys and final design work, identify all mailboxes, walls, fences, driveways, potable water wells and landscaping located in the alignment and prepare a relocation and replacement plan for each to address impacts resulting from displacement of existing improvements in the pipeline alignment.

3. Impact – Displacement of Existing Improvements. Construction of the Proposed Project could impact farmland and/or adjacent agricultural operations. Additionally routine maintenance over the long-term could further impact these operations. The proposed pipeline alignment would generally follow along existing roadways from the existing outfall location to the proposed outfall. The land portions located between Crows Landing Road and Carpenter Road are currently under agricultural production. Based on review of aerial photographs and field reconnaissance, these agricultural areas include mainly irrigated pasture and a tallow plant. Although the pipeline would be buried, construction activities would require the removal of existing irrigation structures and topsoil. Following construction, the pipeline would be buried at a sufficient depth to enable continued agricultural operations. This temporary loss in agricultural productivity along the proposed alignment would be considered a potentially significant impact.

Findings. Restore affected lands to pre-project conditions. The City shall consult with all affected land owners where the proposed alignment would cross productive farmland. As part of the easement acquisition process, the City and affected landowners shall negotiate an agreed-upon compensation for the loss of any existing pasture and/or row crops currently in production. During these consultations the City shall also, in conjunction with landowners' input, identify areas along the ROW

that could be left in agricultural production as well as locations for access gates to allow for city staff access. Access gate locations shall be included in the final design plans for the Proposed Project. Compensation for the loss of crops and associated revenues will be up to the provisions of law.

D. Public Services and Utilities.

1. Impact – Public Service Response and Service Ratios. Construction of the Proposed Project could result in substantial adverse impacts to the provision of governmental services, thereby adversely affecting current service ratios, response times or other performance objectives for local public service providers. Construction of the Proposed Project could result in increased response times for police, fire and medical services. Increased response times would primarily result from disruptions in normal traffic flows and the presence of construction crews. This impact is considered potentially significant.

Findings. The City's construction contractor(s) shall provide a copy of the Traffic Control Plan to the Sheriff's Department, County Fire Department, and any private ambulance service providers for informational and coordination purposes prior to construction. The City's construction contractor(s) shall provide 72-hour notice to the local service providers prior to construction of individual pipeline segments. Discussion on the Traffic Control Plan is provided in Section 3.8, Transportation and Traffic Circulation, under Measure 3.8.1a.

2. Impact – Impact Underground Utilities. Construction of the project could encounter underground utilities or result in temporary interruptions in utility service.

Findings. Underground utilities and service connections shall be identified by the City's construction contractor(s) prior to commencing any excavation work through the implementation of an underground services alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as "pot-holing"). Temporary disruption of service may be necessary to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.

E. Cultural Resources.

1. Impact – Historic and Prehistoric Resources. Implementation of the proposed pipeline may affect unknown, potentially significant prehistoric and historic resources. Activities associated with construction of the Proposed Project could result in a significant impact to cultural resources. Cultural resources, whether prehistoric or historic, are physical manifestations of cultural activity. As such, they constitute an important non-renewable resource, which has the potential of increasing our understanding of older or extinct cultures..

Findings. If any historic or prehistoric find is determined to be significant by a qualified archaeologist, representatives of the City and the archaeologist and/or paleontologist would meet to determine an appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards in accordance with CEQA Guidelines Section 15064.5 (f).

2. Impact – Paleontological Resources. The implementation of the proposed project may adversely affect previously undocumented paleontological resources. The project site contains recent alluvium of stream channel, stream overflow, and alluvial fan deposits. The sediments are Pliocene and Quaternary marine and non-marine sedimentary rock sources. Given the relatively young geomorphic characteristics of this area, the probability of encountering paleontological resources is substantially reduced.

Findings. If any historic or prehistoric find is determined to be significant by a qualified archaeologist, representatives of the City and the archaeologist and/or paleontologist would meet to determine an appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards in accordance with CEQA Guidelines Section 15064.5 (f).

3. Impact – Human Burials or Osteological Remains. The implementation of the proposed project may adversely impact human burials or osteological remains. Impacts to human burials or osteological remains is not expected to result from the project activities. However, the subsurface excavation required for construction of the Proposed alignment could potentially disturb or destroy human remains from both prehistoric and historic time periods, including those interred outside of formal cemeteries. This is considered a potentially significant impact that would be reduced to a less-than-significant level by implementation of the following mitigation.

Findings. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

(A) The coroner of the county in which the remains are discovered must be contacted to verify that the remains are human, that no investigation of the cause of death is required, and

(B) If the coroner determines the remains to be Native American:

1. The coroner shall contact the Native American Heritage Commission within 24 hours.

2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

3. The Most Likely Descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

F. Noise.

1. Impact – Construction Noise. Construction associated with the implementation of the Proposed Project would temporarily and intermittently increase noise levels along the proposed pipeline alignment. The temporary increase in noise could adversely affect nearby sensitive receptor locations along the proposed alignment. Construction noise resulting from the use of heavy equipment along the proposed route is considered a potentially significant impact of the Proposed Project. Construction would include trenching, pipe laying, and backfilling of open trenches. Pipeline installation could occur at a typically rate of 700 to 1,000 feet per day in those reaches of the alignments that cross open land or low-use sections of roadways. Noise generated along reaches of the pipeline would depend upon the types and number of equipment required. For those residences within 50 feet of construction activities, noise exposure could reach upwards of 89 dBA, Leq. Instantaneous noise levels could exceed 90 dBA. However, at an installation rate of 700 to 1,000 feet per day, periods of intrusive noise exposure would be of short duration, on average of a few days, including the time required for alignment preparation, trenching, pipe laying, backfilling, and restoration. Regardless of the fact, construction noise of this magnitude would, at times, exceed the daytime hourly noise standard for Stanislaus County of 50 dBA/Leq. Furthermore, it is possible that construction activities would at times create ambient conditions exceeding Stanislaus County's day-night noise standards and/or the cumulative duration standards of one-half hour, fifteen minutes, five minutes, and one minute. For these reasons, noise impacts to existing rural residences within 50 to 200 feet of a proposed alignment are considered potentially significant.

Findings. Construction activities within rural and urban residential areas shall be limited to the hours and days specified by each jurisdiction as follows:

1. Construction activity is limited to hours and days when noise standard exemptions apply, per encroachment permit.

2. If construction outside those exempt time periods is proposed, the City shall obtain a variance from the

County.

3. Where no construction exemption is granted, construction shall be scheduled between 7:00 a.m. to 7:00 p.m., Monday to Friday, or other hours and days as established by the County in applicable encroachment permits.

The City shall require in construction specifications that the contractor select staging areas as far as feasibly possible from existing residences.

Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturers' specifications) and by shrouding or shielding impact tools. All equipment shall have sound-control devices no less effective than those provided by the manufacturer.

The City shall require in construction specifications that the contractor place all stationary noise generating construction equipment as far away as feasibly possible from sensitive receptors or in an orientation minimizing noise impacts (i.e., behind existing barriers or storage piles, etc.).

G. Transportation and Traffic Circulation.

1. Impact – Short Term Traffic Delays. Construction of the pipeline would involve open-cut trenching along local roadways. Construction of the pipeline would involve open-cut trenching along Harding Road. The proposed pipeline diameter size would be 36 inches, thereby requiring a trench width of up to 10 feet. The temporary construction zone for pipeline installation would be no larger than 135 feet wide, which would allow truck and equipment access alongside the trench. In recognition of constrained roadway widths along the pipeline alignment, the minimally acceptable construction zone width would be 60 feet. Pipeline installation could occur at a rate of up to 700 to 1,000 feet per day. At this time it is anticipated that approximately 12 workers would be working on the pipeline on a typical work day. The roadways with possibly greater ongoing traffic include Carpenter Road, and Crows Landing Road. The ongoing traffic on Harding Road and intersecting roadways such as Prairie Flower Road, Central Avenue and Blaker Road in the project area is expected to primarily include vehicles that belong to the local residents and farm workers.

Findings. Prior to the onset of construction of the project, a Traffic Control Plan will be prepared for all project-affected roadways and intersections. The Traffic Control Plan shall comply with requirements in all relevant encroachment permits issued by Stanislaus County. The Traffic Control Plan to be prepared by the construction contractor(s) may include the following measures:

- Maintain the maximum amount of travel lane capacity during

non-construction periods, with all trenches covered with steel plates or backfilled and roadways open for use.

- Use detour signing on alternate access streets when temporary full street closure is required. Alternatively, limit the construction work zone in each block to a width that, at a minimum, maintains alternate one-way traffic flow past the construction zone where feasible.

- Restrict construction to non-peak traffic periods as required for specific work sites in encroachment permits. Weekend and night work shifts may be considered in non residential areas only.

- Coordinate construction activities (time of year and duration) to minimize traffic disturbances adjacent to agricultural areas and dairies.

- Post advanced warning of construction activities (e.g., signs, articles in newspapers, notices on radio/TV, etc.) to allow motorists to select alternative routes in advance.

- Specifications that allow for direct passage for bicyclists and pedestrians in all areas potentially affected by project construction. If direct passage is not feasible, the detour routes shall be provided.

- Warning signs and speed control (including signs informing drivers of State-legislated double fines for speed infractions in a construction zone) shall be provided, where necessary, to achieve required speed reductions for safe traffic flow through the work zone.

Prior to onset of construction, and in consultation with Stanislaus County, the City's construction contractor(s) shall identify areas where night construction may be appropriate. Night construction shall be performed in all areas identified, but not within 1,000 feet on an existing residence. Expedite construction by using multiple work crews so that disturbances are kept as short in duration as possible. Arrange for a 24-hour telephone hotline to address public questions and complaints during project construction, and to offer information about detours, etc.

2. Impact – Construction-Related Traffic. Construction of the Proposed Project would generate short-term increases in vehicle trips by construction workers and construction vehicles. Project traffic would be generated from two sources: truck trips to and from the work site(s), and construction work crews and supervisor staff working onsite(s). The impact of construction-related traffic would be temporary and intermittent lessening of the capacities of access streets and haul routes because of the

slower movements and larger turning radii of construction trucks compared to passenger vehicles, as well as traffic-related effects such as noise and vibration. Lane blockage due to queued trucks, if it were to occur, would temporarily reduce the roadway capacity of the affected streets. Specific haul routes for the project would be designated after consultation with Stanislaus County Public Works staff.

Findings. As part of the Traffic Control Plan for roadway segments and intersections (see Measure 3.9.1a), designated haul routes will be specified for the project after consultation with relevant agencies (e.g., Caltrans and County Public Works). To the extent possible, daily work sites will be scheduled such that their relative locations shall disperse truck trips over a number of different haul routes, thereby lessening the number of truck trips on any one road. In addition, construction worker and truck trips during peak traffic periods shall be avoided, to the extent possible.

3. Impact – Disruption of Access. Access to agricultural lands, driveways and to cross streets along the pipeline construction route would be temporarily blocked due to trenching and paving. This could be disruptive, particularly with respect to agricultural operations, dairies and orchards, as well as for movement of emergency vehicles through the project area. Vehicle access would be restored at the end of each work day through the use of steel trench plates or trench backfilling. There are no bicycle or pedestrian trails within the proposed alignments, although, bicyclists and pedestrians should be expected on all roadways.

Findings. As part of the Traffic Control Plan for roadway segments and intersections (Measure 3.9.1a), comprehensive strategies for maintaining emergency access shall be developed for sensitive land uses such as residential and agricultural areas in consultation with the facility owner or administrator. Strategies shall include, but not be limited to, maintaining steel trench plates at the construction sites to restore access across open trenches, and identification of alternate routing around construction zones. Also, police, fire, and other emergency service providers shall be notified of the timing, location, and duration of construction activities and the location of detours and lane closures. Use detour signing on alternate access streets established when temporary full street closure is required. The City shall provide a minimum 72 hour advance notice of access restrictions for residents and businesses.

4. Impact – Parking. Construction of the Proposed Project would generate a demand for parking spaces for construction worker vehicles. In addition, pipeline construction could temporarily displace on-street parking along the proposed alignment. The project would generate a need for parking for construction workers. Assuming each worker drives alone to each day's work location, each crew would require up to 10 to 15 parking spaces. Pipeline installation within roads would, in some cases, displace available parking spaces in the construction work zone. In those areas construction workers would have to park outside the immediate construction area including the pump station. The loss of parking area available and the added walking distance from parking to one's destination or to the work site is considered a potentially significant impact of the project.

Finding. Construction contracts shall require the contractor(s) to provide off-street parking for construction worker's vehicles in the vicinity of the work zone, or, workers may be shuttled to the work site from an off-site location.

4. Impact – Traffic Hazards. Construction of the Proposed Project would increase potential traffic safety hazards for vehicles, bicyclists, and pedestrians on public roadways. Trucks used for construction in the project area roadways would interact with other vehicles. Creation of a construction work zone on high-volume and/or high-speed roadways heightens concerns about increased traffic safety hazards because of the need to safely transition traffic into the travel lane(s) adjacent to the work zone. In addition, lane blockages or roadway closures during pipeline installation could result in temporary alterations in cyclist and pedestrian circulation. Project construction could conflict with cyclist and pedestrian use on roads including Harding, Prairie Flower, Crows Landing, and Carpenter Roads. However, bicycle and pedestrian uses are expected to be restricted to the residents and/or workers in the area. Refer to Section 3.11 for recreation use. Implementation of measures outlined in Mitigation Measure 3.8.1a would reduce this impact to a less-than-significant level.

Findings. In addition to implementing the Traffic Control Plan the City in coordination with Stanislaus County Department of Public Works will ensure the integration of clear zone concepts into the final design of proposed above-ground structures. Final design will also account for the ultimate rights-of-way for affected roadways.

5. Impact – Wear and Tear to Affected Roadways. The use of large trucks to transport equipment and material to and from the project work site(s) could affect road conditions on the designated haul routes by increasing the rate of road wear. The degree to which this impact would occur depends on the design (pavement type and thickness) and the existing condition of the road. Major arterials and collectors are designed to accommodate a mix of vehicle types, including heavy trucks. The potential impacts are expected to be negligible on those roads. Residential and rural streets are generally not built with a pavement thickness that will withstand substantial traffic volumes. In addition, agricultural and dirt roads would not withstand substantial traffic volumes of heavy construction vehicles. Installation of pipeline segments, regardless of its associated route, would extend through these areas and could result in significant roadwear.

Findings. Prior to construction, the City, a County representative, and the City's construction contractor(s) will be responsible for assessing current road conditions for all project routes once final design plans are complete in efforts to develop post-construction road restoration requirements. An agreement shall be entered into by the City and corresponding jurisdiction County prior to construction that details post-construction road restoration requirements. Staff of the Stanislaus County Public Works Department shall review the post-construction restoration standards plans for each of the affected haul routes to ensure compliance with County standards. The City shall perform roadway repairs or rehabilitation as necessary such that post-construction requirements are met.

H. Geology and Soils.

1. Impact – Soil Erosion. Construction associated with each component of the Proposed Project has the potential to expose bare soil to precipitation and subsequent entrainment in surface runoff. Construction activities involving soil disturbance, excavation, cutting/filling, and grading activities could result in increased erosion and sedimentation to surface waters. During construction and grading, erosion and sediment control measures will be conducted in accordance with City's' stormwater management requirements and best management practices for the reduction of pollutants in runoff (refer to Section 3.1, Water Resources). The components of the Proposed Project will be subject to National Pollutant Discharge Elimination System (NPDES) requirements and would require the acquisition of a NPDES general construction permit.

Findings. The Water Resources section of the EIR includes mitigation measures to address the potential impact resulting from soil erosion.

I. Hazards and Hazardous Materials.

1. Impact – Exposure to Pre-Existing Hazardous Materials Contamination. The Proposed Project will require the excavation and disturbance of soils. Past historic land use may have resulted in the contamination of soil and/or groundwater. Construction activities inherent to the Proposed Project could encounter areas of contamination associated with past land uses (e.g., farm waste). Dewatering of contaminated groundwater from trenches and excavations could expose individuals and the environment to hazardous levels of contaminants. Similarly, body contact with contaminated soil could lead to inadvertent exposure.

Findings. If contaminated soil and/or groundwater or suspected contamination were encountered during project construction, work shall be halted in the area, and the type and extent of the contamination shall be identified. The depth of trenches would be approximately eight to nine feet. A contingency plan to dispose of any contaminated soil or groundwater should be developed through consultation with the appropriate regulatory agencies. If dewatering were to occur during project construction, the RWQCB should be consulted for any special requirements such as containing the water until it can be sampled and analyzed to ensure that no contaminants are in the groundwater that could be released into the TID drainage system.

2. Impact – Accidental Release. During excavation and construction activities, it is anticipated that limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, and hydraulic fluid would be brought onto the construction site. Various contractors for fueling and maintenance purposes could use temporary bulk aboveground storage tanks as well as storage sheds/trailers. The potential for an accidental release exists during handling and transfer from one container to another. Depending on the relative hazard of the hazardous material, if a spill were to occur of significant quantity, the accidental release could pose both a hazard to construction

employees and the environment. Although typical construction management practices limit and often eliminate the impact of such accidental releases, the potential exists with the temporary on-site storage of hazardous materials that a significant release could occur.

Finding. The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the Department of Transportation, California RWQCB, the local fire departments, and the local environmental health department. Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable federal, state and/or local regulatory agency protocols. In addition, all precautions required by the RWQCB issued NPDES construction activity stormwater permits would be taken to ensure that no hazardous materials enter any nearby waterways. In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.

3. Impact – Emergency Access. The Proposed Project is not expected to involve any activities that would interfere with emergency response plans or evacuation plans in place through the California OES and Stanislaus County. However, when installing the pipeline along roadways, the Proposed Project could block access to nearby roadways for emergency vehicles.

Findings. The Transportation and Circulation section of the EIR includes mitigation measures to address the potential impact to emergency vehicle access.

J. Aesthetics

1. Impact - The Proposed Project would involve the construction of structures that would result in the creation of new sources of daytime glare and/or nighttime illumination. The Proposed Project would include the installation of permanent lighting fixtures (e.g., security) for the proposed pump station and aeration facility. In addition, it is plausible that construction operations during evening hours could employ mobile lighting equipment that would generate limited nighttime illumination. However, due to the absence of significant aesthetic resources in the project area, no significant impacts are expected from such temporary lighting equipment. Additionally, mobile lighting equipment used as part of the Proposed Project would be directed towards the construction site and away from any residences, if utilized.

Findings. The City will install security lighting with directional shields to concentrate lighting toward the site. The night time security and associated parking lighting fixtures will be equipped with directional shields that aim light downward and away from adjacent residential properties. In addition, the placement of lighting fixtures would be selected to concentrate light on-site to avoid spillover onto adjacent residential properties.

EXHIBIT B

CITY OF TURLOCK
HARDING DRAIN BYPASS PROJECT

MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program, attached hereto and incorporated herein by reference, has been prepared in accordance with California Environmental Quality Act Guidelines (California Public Resources Code § 21000 *et seq.*) to ensure that mitigation measures identified in the Harding Drain Bypass Project Final EIR will be implemented.

CHAPTER 6
MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 21081.6(a)(1) of the Public Resources Code requires public agencies, as part of the certification of an EIR, to prepare and approve a reporting or monitoring program. This program should be structured to ensure that changes to the project that the lead agency has adopted to mitigate or avoid significant environmental impacts are carried out during project implementation.

The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Final EIR for the Harding Drain Bypass Project EIR prepared by the City. This MMRP is intended to be used by the City's mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed as part of the EIR process for the Proposed Project.

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP will provide for monitoring of construction activities as necessary, in-the-field identification and resolution of environmental concerns, monitoring of daily operation of components of the facility, and proper reporting to the District.

COMPLIANCE CHECKLIST

Table 6-1 contains a compliance monitoring checklist that provides a synopsis of all adopted mitigation measures, the entity responsible for their implementation, the entity responsible for monitoring, and the timing of implementation. All the mitigation measures presented in **Table 6-1** will be incorporated into the Proposed Project.

IMPLEMENTATION AND MONITORING OF MITIGATION MEASURES

Since the mitigation measures will be incorporated into the Proposed Project, implementation and monitoring of mitigation measures will occur at various stages of implementation of the Proposed Project, which may include, but are not limited to, the following:

- Implementation of development and design standards, guidelines, and programs for the Proposed Project.
- Grading, site preparation; and construction of the Proposed Project.
- On-going operation of the Proposed Project.
- On-site, day-to-day monitoring of construction activities.
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- Ensuring contractor knowledge of and compliance with all appropriate permit conditions and the MMRP.
- Verifying the accuracy and adequacy of contract wording.
- Having the authority to require correction of activities that violate project permit conditions or mitigation measures. The inspector shall have the ability and authority to secure compliance with the MMRP through the City Manager, if necessary.
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City.
- Obtaining assistance as necessary from technical experts, such as archaeologists, botanists, and wildlife biologists in order to develop site- specific procedures for implementing the mitigation measures. Particularly for implementing the appropriate special-status species, marsh, or mature tree mitigation measures.
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

Responsibility of implementation and monitoring of mitigation measures will typically reside with the City staff as described in **Table 6-1**.

TABLE 6-1
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.1	**WATER RESOURCES**					
3.1.1a	To minimize the exposure of sediments to runoff, the City would implement measures contained in the Construction Contractor's Guide and Specification of the Caltrans Storm Water Quality Handbook (The Handbook; April 1997) and the SWRCB Water Quality Order 99-08-DWQ, NPDES, General Permit for Stormwater Discharge Associated with Construction Activity.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	
3.1.1b	All construction plans and activities shall implement multiple BMPs to provide effective erosion and sediment control. These BMPs shall be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMPs to be implemented as part of this mitigation measure shall include, but are not limited to, the following measures: • Temporary erosion control measures (such as silt fences, staked straw bales/ wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be employed for disturbed areas. • Dirt and debris shall be swept from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
• Grass or other vegetative cover will be established on the construction site as soon as possible after disturbance. At minimum, vegetative application shall be done by September 15th to allow for plant establishment. No disturbed surfaces will be left without erosion control measures in place during the period of October 15th to April 15th.					
• Silt fences and catch basins will be placed below all construction activities at the edge of the river to intercept sediment before it reaches the river. These structures will be installed prior to any clearing or grading activities.					
• Spoil sites will be located such that they do not drain directly into the San Joaquin River or TID Laterals, if possible. If a spoil site drains into the river or local drains, catch basins will be constructed to intercept sediment before it reaches the river. Spoil sites will be graded to reduce the potential for erosion.					
While data is scarce regarding the effectiveness of BMPs as erosion and sediment controls, the expected pollutant removal efficiencies given in Table 3.1-2 suggest that multiple BMPs used in combination, properly installed and maintained, can achieve significant sediment removal. Therefore the final selection and design of erosion and sediment controls should include the use of multiple BMPs to protect water quality.					
BMPs proposed by the City's contractor shall be subject to approval by the City, and the City shall require that all parties performing construction under the Proposed Project incorporate into contract specifications the requirement that the contractor(s) comply with and implement these provisions. The contractor shall also include provisions for monitoring during and after construction activities to verify that these standards are met.					

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.1.1c	Implement Mitigation Measure 3.10.2.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus, RWQCB, DOT, and TID	Verification of inclusion within contract wording	Throughout construction	
3.2	**BIOLOGICAL RESOURCES**					
3.2.1a	As noted above, the project area appears to provide only marginal habitat for GGS. Nonetheless, a survey for Giant Garter Snake (GGS) will be conducted by a qualified biologist within 24 hours prior to the start of construction, and if GGS are present and there is a reasonable likelihood that construction will adversely impact GGS, the City and its construction contractor will adhere to the appropriate terms and conditions of the Programmatic Biological Opinion issued to the ACOE by the USFWS for giant garter snake (dated Nov. 13, 1997).	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.1b	Prior to construction, all construction workers shall take part in a Service-approved worker environmental awareness program given by a Service-approved biologist.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.1c	The construction easement for the proposed crossings shall be fenced using temporary fencing to reduce the possibility of incidentally impacting giant garter snake habitat outside of the construction area.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.2.1d	If construction activities occur between April 1st and August 31st, a survey for active Swainson's hawk nests shall be conducted along the proposed alignment according to the CDFG's Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California by a qualified wildlife biologist. The survey shall be limited to trees within 500 feet of the proposed alignment.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.1e	If active nests are detected and potential impacts are identified, measures that will avoid or mitigate impacts will be implemented. Avoidance measures may include, but are not limited to, establishing buffer zones around nests and retaining a qualified wildlife biologist to monitor active nests during construction.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	
3.2.2a	Construction activities along the banks of and within the San Joaquin River will, to the extent feasible, shall be limited to the period between June 1st and August 31st, the period during which impacts to native fisheries are not likely to occur.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Throughout construction	
3.2.2b	Implement Mitigation Measure 3.1.1.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the RWQCB	Verification of compliance by RWQCB	Throughout construction	
3.2.3a	Prior to construction, the proposed alignment (San Joaquin River levee, Harding Drain banks, and grassland habitat areas) shall be surveyed by a qualified biologist for burrowing owls using established CDFG protocols (Appendix F).	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.3b	If burrowing owls are detected within the construction zone, mitigation that will avoid active nest sites or compensate for the loss of nest sites shall be developed in coordination with CDFG.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.2.3c A qualified biologist shall survey the proposed pipeline trenching and aeration facility construction site within the annual/alkali grassland habitat for the presence of San Joaquin whipsnakes. The survey shall take place no more than 24 hours prior to construction. If a snake is detected by the survey, no construction shall take place until the snake has left the construction area and CDFG shall be notified for proper guidance. The performance standard for this action is that no snake shall be harassed or taken.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.3d Implement all mitigation measures listed for giant garter snakes. Biological monitors present during canal/ditch crossing construction shall also monitor for northwestern and southwestern pond turtles on the site, and pre-construction surveys shall also target northwestern and southwestern pond turtles.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.4a Prior to construction of the Proposed Project, the proposed alignment and aeration facility location west of Carpenter Road, shall be surveyed by a qualified botanist for special-status plants at the appropriate flowering period (May–July) using established CNPS protocols.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.4b If special-status plants are detected within the construction zone or the immediate vicinity, mitigation that will avoid impacts within 50' of these plants or compensate for unavoidable impacts to habitat shall be developed in coordination with CDFG. Mitigation may include protection of existing rare plant occurrences and habitats by rerouting the alignment or protecting other alkaline wetland habitats in the area where they may occur at a 2:1 ratio using existing Mitigation Banks.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	
3.2.5a Fill of wetland areas will be minimized wherever possible. Temporary construction fencing will be erected around the Project site to reduce the potential of incidental fill.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.2.5b Following pipeline construction, wetland/stream crossings shall be restored to pre-construction contours. Areas exposed due to construction shall be re-vegetated using a mix of native vegetation.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Upon completion of construction	
3.2.6a If construction activities occur between March 15th and September 15th (the raptor breeding season), a survey for active nests of raptors shall be conducted by a qualified wildlife biologist at the project site and within a 500 foot buffer surrounding the site. These surveys should be integrated with pre-construction surveys conducted for Swainson's Hawk.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to construction	
3.2.6b Implement Mitigation Measure 3.2.1e.	City of Turlock, Municipal Services Department	City of Turlock in coordination with CDFG	Verification of compliance by CDFG	Prior to and throughout construction	
3.3 LAND USE AND AGRICULTURE					
3.3.2a The City of Turlock shall require its construction contractor to provide a minimum 2-week advance notice of the construction activities schedule to the affected community members adjacent to construction areas (e.g., residences, property owners, business owners, and public facility operators), including the posting of signs.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus, and TID	Verification of compliance by the County of Stanislaus, and TID	Prior to construction within each respective jurisdiction	
3.3.2b The City of Turlock, in cooperation with its contractor(s), shall provide a phone number and community contact for inquiries about the project's schedule throughout the construction period. This information will be posted in a local newspaper and at City Hall and will be updated on a weekly basis.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus, and TID	Verification of compliance by the County of Stanislaus, and TID	Prior to construction within each respective jurisdiction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.3.2c	The City and its contractor(s) shall coordinate with local jurisdictions and obtain all necessary permits (e.g., encroachment permit, utility excavation permit), comply with permit conditions established to minimize construction impacts, and coordinate inspections with Stanislaus County to oversee construction activities.	City of Turlock, Municipal Services Department	City of Turlock in consultation with the County of Stanislaus, and TID	Acquisition and compliance with encroachment permits from the County of Stanislaus, and TID	Prior to construction	
3.3.2d	Implement San Joaquin Valley Air Pollution Control District (SJVAPCD) required fugitive dust control measures, Mitigation Measure 3.7.1a through d, and Mitigation Measure 3.8.1a through e.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the SJVAPCD.	Verification of compliance from the SJVAPCD	Prior to and throughout construction	
3.3.3	The City's contractor shall, as part of the right-of-way surveys and final design work, identify all mailboxes, walls, fences, driveways, potable water wells and landscaping located in the alignment and prepare a relocation and replacement plan for each to address impacts resulting from displacement of existing improvements in the pipeline alignment.	City of Turlock, Municipal Services Department	City of Turlock	Verification of compliance prior to the commencement of construction	Prior to construction	
3.3.4	Restore affected lands to pre-project conditions.	City of Turlock, Municipal Services Department	City of Turlock	Verification of Compliance from the Department of Conservation	Upon completion of construction	
3.3.5	Implement Mitigation Measure 3.3.4.	City of Turlock, Municipal Services Department	City of Turlock	Verification of Compliance from the Department of Conservation	Upon completion of construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.4 PUBLIC SERVICES AND UTILITIES					
3.4.1a The City's construction contractor(s) shall provide a copy of the Traffic Control Plan to the Sheriff's Department, County Fire Department, and any private ambulance service providers for informational and coordination purposes prior to construction.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus	Completion of Traffic Control Plan	Prior to construction	
3.4.1b The City's construction contractor(s) shall provide 72-hour notice to the local service providers prior to construction of individual pipeline segments. Discussion on the Traffic Control Plan is provided in Section 3.8, Transportation, and Traffic Circulation, under Measure 3.8.1a.	City of Turlock, Municipal Services Department	City of Turlock	Verification of noticing	Prior to and throughout construction	
3.4.6 Underground utilities and service connections shall be identified by the City's construction contractor(s) prior to commencing any excavation work through the implementation of an underground services alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as "pot-holing"). Temporary disruption of service may be necessary to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.	City of Turlock, Municipal Services Department	City of Turlock	Verification of USA compliance	Prior to and throughout construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.5 CULTURAL RESOURCES					
3.5.1 If any historic or prehistoric find is determined to be significant by a qualified archaeologist, representatives of the City and the archaeologist and/or paleontologist would meet to determine an appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards in accordance with CEQA Guidelines Section 15064.5 (f).	City of Turlock, Municipal Services Department	City of Turlock in coordination with the Native American Heritage Commission	Verification of compliance from the Native American Heritage Commission	Instructions included in grading and construction plans	
3.5.2 Implement Mitigation Measure 3.5.1.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the Native American Heritage Commission	Verification of compliance from the Native American Heritage Commission	Instructions included in grading and construction plans	
3.5.3 In the event of the discovery of human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows:	City of Turlock, Municipal Services Department	City of Turlock in coordination with the Stanislaus County Coroner and Native American Heritage Commission	Verification of compliance from the Stanislaus County Coroner and Native American Heritage Commission	Instructions included in grading and construction plans	
(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:					
(A) The coroner of the county in which the remains are discovered must be contacted to verify that the remains are human, that no investigation of the cause of death is required, and					

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
(B) If the coroner determines the remains to be Native American: 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The Most Likely Descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.					
3.6 AIR QUALITY					
No mitigation is required beyond the implementation of measures identified in Regulation VIII, Rule 8010.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the SJVAPCD	Verification of compliance from the SJVAPCD	Throughout construction activities	
3.7 NOISE					
3.7.1a Construction activities within rural and urban residential areas shall be limited to the hours and days specified by each jurisdiction as follows: 1. Construction activity is limited to hours and days when noise standard exemptions apply, per encroachment permit.	City of Turlock, Municipal Services Department	City of Turlock	Verification of compliance with applicable noise regulations.	Throughout construction activities	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
	2. If construction outside those exempt time periods is proposed, the City shall obtain a variance from the appropriate jurisdiction.					
	3. Where no construction exemption is granted, construction shall be scheduled between 7:00 a.m. to 7:00 p.m., Monday to Friday, or other hours and days as established by the appropriate local jurisdiction in applicable encroachment permits.					
3.7.1b	The City shall require in construction specifications that the contractor select staging areas as far as feasibly possible from existing residences. Activities within these staging areas shall conform to the time limitations established in Mitigation Measure 3.7.1a.	City of Turlock, Municipal Services Department	City of Turlock	Verification of final staging area locations.	Final construction plans	
3.7.1c	Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturers' specifications) and by shrouding or shielding impact tools. All equipment shall have sound-control devices no less effective than those provided by the manufacturer.	City of Turlock, Municipal Services Department	City of Turlock	Inclusion of manufactures specifications within contract wording	Final construction plans	
3.7.1d	The City shall require in construction specifications that the contractor place all stationary noise generating construction equipment as far away as feasibly possible from sensitive receptors or in an orientation minimizing noise impacts (i.e., behind existing barriers or storage piles, etc.).	City of Turlock, Municipal Services Department	City of Turlock	Inclusion of manufactures specifications within contract wording	Final construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.8 TRANSPORTATION AND CIRCULATION					
3.8.1a Prior to the onset of construction of the project, a Traffic Control Plan will be prepared for all project-affected roadways and intersections. The Traffic Control Plan shall comply with requirements in all relevant encroachment permits issued by Stanislaus County. The Traffic Control Plan to be prepared by the construction contractor(s) may include the following measures: • Maintain the maximum amount of travel lane capacity during non-construction periods, with all trenches covered with steel plates or backfilled and roadways open for use. • Use detour signing on alternate access streets when temporary full street closure is required. Alternatively, limit the construction work zone in each block to a width that, at a minimum, maintains alternate one-way traffic flow past the construction zone where feasible. • Restrict construction to non-peak traffic periods as required for specific work sites in encroachment permits. Weekend and night work shifts may be considered in non residential areas only. • Coordinate construction activities (time of year and duration) to minimize traffic disturbances adjacent to agricultural areas and dairies. • Post advanced warning of construction activities (e.g., signs, articles in newspapers, notices on radio/TV, etc.) to allow motorists to select alternative routes in advance.	City of Turlock, Municipal Services Department	City of Turlock	Completion of the Traffic Control Plan and verification of its inclusion in contract wording on construction plans	Final construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
	• Specifications that allow for direct passage for bicyclists and pedestrians in all areas potentially affected by project construction. If direct passage is not feasible, the detour routes shall be provided. • Warning signs and speed control (including signs informing drivers of State-legislated double fines for speed infractions in a construction zone) shall be provided, where necessary, to achieve required speed reductions for safe traffic flow through the work zone.					
3.8.1b	Prior to onset of construction, and in consultation with Stanislaus County, the City's construction contractor(s) shall identify areas where night construction may be appropriate. Night construction shall be performed in all areas identified, but not within 1,000 feet on an existing residence.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus	Verification of contract wording.	Construction Plans	
3.8.1c	Expedite construction by using multiple work crews so that disturbances are kept as short in duration as possible.	City of Turlock, Municipal Services Department	City of Turlock	Verification of contract wording	Construction Plans	
3.8.1d	Arrange for a 24-hour telephone hotline to address public questions and complaints during project construction, and to offer information about detours, etc.	City of Turlock, Municipal Services Department	City of Turlock	Confirmation of 24-hour hotline	Throughout construction	
3.8.2a	As part of the Traffic Control Plan for roadway segments and intersections (see Measure 3.9.1a), designated haul routes will be specified for the project after consultation with relevant agencies (e.g., Caltrans and County Public Works).	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.8.2b	To the extent possible, daily work sites will be scheduled such that their relative locations shall disperse truck trips over a number of different haul routes, thereby lessening the number of truck trips on any one road. In addition, construction worker and truck trips during peak traffic periods shall be avoided, to the extent possible.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.3a	As part of the Traffic Control Plan for roadway segments and intersections (Measure 3.9.1a), comprehensive strategies for maintaining emergency access shall be developed for sensitive land uses such as residential and agricultural areas in consultation with the facility owner or administrator. Strategies shall include, but not be limited to, maintaining steel trench plates at the construction sites to restore access across open trenches, and identification of alternate routing around construction zones. Also, police, fire, and other emergency service providers shall be notified of the timing, location, and duration of construction activities and the location of detours and lane closures.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.3b	Implement Mitigation Measure 3.8.1b.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.3c	Use detour signing on alternate access streets established when temporary full street closure is required.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.3d	The City shall provide a minimum 72 hour advance notice of access restrictions for residents and businesses.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Prior to construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.8.5	Construction contracts shall require the contractor(s) to provide off-street parking for construction worker's vehicles in the vicinity of the work zone, or, workers may be shuttled to the work site from an off-site location.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.6a	Implement Mitigation Measure 3.8.1a.	City of Turlock, Municipal Services Department	City of Turlock	Completion of the Traffic Control Plan and verification of its inclusion in contract wording on construction plans	Construction plans	
3.8.6b	The City in coordination with Stanislaus County Department of Public Works will ensure the integration of clear zone concepts into the final design of proposed above-ground structures. Final design will also account for the ultimate rights-of-way for affected roadways.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	
3.8.7a	Prior to construction, the City, a County representative, and the City's construction contractor(s) will be responsible for assessing current road conditions for all project routes once final design plans are complete in efforts to develop post-construction road restoration requirements. An agreement shall be entered into by the City and County prior to construction that details post-construction road restoration requirements. Staff of the Stanislaus County Public Works Department shall review the post-construction restoration plans for each of the affected haul routes to ensure compliance with County standards. The City shall perform roadway repairs or rehabilitation as necessary such that post-construction requirements are met.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus	Verification of inclusion within contract wording	Construction plans	
3.8.7b	The City shall obtain encroachment permits from Stanislaus County prior to construction of the project, and comply with haul route designations, and roadway wear monitoring and repairs conditions.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus	Verification of issuance of encroachment permits	Prior to construction	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.9	**GEOLOGY, SOILS, AND SEISMICITY**					
3.9.4	Implement Mitigation Measures 3.1.1a, 3.1.1b, and 3.1.1c.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	
3.10	**HAZARDS AND HAZARDOUS MATERIALS**					
3.10.1a	If contaminated soil and/or groundwater or suspected contamination were encountered during project construction, work shall be halted in the area, and the type and extent of the contamination shall be identified. The depth of trenches would be approximately eight to nine feet. A contingency plan to dispose of any contaminated soil or groundwater should be developed through consultation with the appropriate regulatory agencies. If dewatering were to occur during project construction, the RWQCB should be consulted for any special requirements such as containing the water until it can be sampled and analyzed to ensure that no contaminants are in the groundwater that could be released into the TID drainage system.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus, RWQCB, and TID	Verification of inclusion within contract wording	Throughout construction activities	
3.10.1b	Implement Mitigation Measure 3.1.1b.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the RWQCB	Completion of SWPPP. Verification by the RWQCB of inclusion of mitigation measures within the SWPPP. Site inspection by the City of Turlock and RWQCB to ensure proper implementation.	Throughout construction activities	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.10.2	The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the Department of Transportation, California RWQCB, the local fire departments, and the local environmental health department. Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable federal, state, and/or local regulatory agency protocols. In addition, all precautions required by the RWQCB issued NPDES construction activity stormwater permits would be taken to ensure that no hazardous materials enter any nearby waterways. In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.	City of Turlock, Municipal Services Department	City of Turlock in coordination with the County of Stanislaus, RWQCB, DOT, and TID	Verification of inclusion within contract wording	Construction plans	
3.10.3	Implement Mitigation Measure 3.8.3a.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	

TABLE 6-1 (Continued)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
3.11 AESTHETICS AND RECREATION					
3.11.2 The City will install security lighting with directional shields to concentrate lighting toward the site. The night time security and associated parking lighting fixtures will be equipped with directional shields that aim light downward and away from adjacent residential properties. In addition, the placement of lighting fixtures would be selected to concentrate light on-site to avoid spillover onto adjacent residential properties.	City of Turlock, Municipal Services Department	City of Turlock	Verification of inclusion within contract wording	Construction plans	

Acronyms:

CDFG	California Department of Fish and Game
DOT	California Department of Transportation
DTSC	California Department of Toxic Substance Control
RWQCB	Regional Water Quality Control Board (Region 5)
SWPPP	Stormwater Pollution Prevention Plan
TID	Turlock Irrigation District